

**STATE OF NEW JERSEY -
FORFEITURE PROGRAM ADMINISTRATION
STANDARD OPERATING PROCEDURE**



09

Title: ***Municipal Forfeiture Program Reports***

Date Issued: **03/01/98**

Applicability: **All Forfeiture Program Administrators**

Supersedes:

9:1 Policy Statement:

The Attorney General requires that a law enforcement agency which receives or expends forfeited property or funds obtained pursuant to N.J.S.A. 2C:64-1, et seq. (civil forfeitures) N.J.S.A. 2C:41-1 et seq., (racketeering), or from actions brought under N.J.S.A. 2C:21-25 et seq. (financial facilitation of crime), or under any other statute as directed by the Attorney General, shall prepare a quarterly report detailing the distribution, receipt or expense of forfeited property or funds. This information shall be recorded on forms promulgated by the Attorney General and known as NJL&PS Form C entitled Municipal Forfeiture Program Report. The completed forms are to be forwarded to both the appropriate county prosecutor's office and the Division of Criminal Justice ("Division") within thirty days of the end of a previous calendar quarter.

9:2 Instructions For Completion of the Form C report

A. General

The report shall be mailed to:

State of New Jersey
Department of Law & Public Safety
Division of Criminal Justice
Operations Bureau
Forfeiture Program Review Unit
P.O. Box 085
Trenton, NJ 08625-0085

Any additional pages attached to the report shall include a reference to the particular part of the Form C report, (e.g., 3 - Indivisible property received during the period).

The report shall include the full name of the police agency, the beginning and ending dates of the reporting period, and the police agency's "ORI" number

assigned by the Division of State Police for access to the National Crime Information Center, (NCIC). The report shall indicate the quarter, by circling the appropriate number, and calendar year of the reporting period.

B. Part I: Forfeited Assets Received

1. Record on line 1 the balance in the agency's law enforcement trust account (forfeiture fund account) at the beginning of the period.
2. Record on line 2 the total forfeited funds received during the quarter. Funds should be categorized by the specific underlying offenses and categories listed in the report:

Narcotics Offenses: Any forfeitures of currency as a result of an underlying offense in violation of N.J.S.A. 2C:35-1 et seq. And N.J.S.A. 2C:36-1 et seq.

Gambling Offenses: Any forfeitures of currency as a result of an underlying offense in violation of N.J.S.A. 2C:37-1 et seq.

Racketeering: Any forfeitures of currency as a result of an underlying offense in violation of N.J.S.A. 2C:41-1 et seq.

Public Indecency: Any forfeitures of currency as a result of an underlying offense in violation of N.J.S.A. 2C:34-1 et seq.

Official Corruption: Any forfeitures of currency as a result of an underlying offense in violation of N.J.S.A. 2C:27-1 et seq., N.J.S.A. 2C:30-2, 2C:30-3 and 2C:30-4.

Theft Offenses: Any forfeitures of currency as a result of an underlying offense in violation of N.J.S.A. 2C:20-1 et seq., N.J.S.A. 2C:21-1 et seq.

Other Offenses: Any forfeitures of currency as a result of any other underlying offense.

Income from Other Sources: Income derived from any source, other than contributive share distributions previously accounted for in other categories, shall be recorded. Examples include, but are not limited to: interest income; reimbursements of towing and storage fees; contributive share distributions of seized but not forfeited property that exceeds the statute of limitations specified by law; and, non-federal contributive share distributions received from another state.

3. Record and describe on line 3 any other forfeited tangible or intangible property, other than funds reported in line 2, that has been distributed to the police agency by any county prosecutor's office or the Division of Criminal Justice. Provide individually; a description of the property, the underlying offense, the intended law enforcement use, the estimated value and the total estimated value of all property received by the police agency during the period.

C. Part II: Use of Forfeited Funds for Law Enforcement Purposes

Record on line 4 the payee or recipient, (e.g., vendor, individual, DARE program, etc.) the law enforcement purpose of the expenditures, the amount of the expenditure made by the police agency or funding entity and the total of all expenditures made during the reporting period.

D. Part III: Disposition of Indivisible Property

Record on line 5 any forfeited property permanently removed from service and the amount of money received from its sale, auction or other disposition. Provide individually; a description of the property, the disposition (sale, auction or other), the actual value received and the total value received for all forfeited property disposed during the reporting period.

E. Certification

The agency executive or their designee will record their name and title, full address and telephone number/fax number. This individual will sign and date the form certifying that information contained is true and correct based upon records maintained by the police agency and its funding agency.

AUTHORITY: *Peter Verniero* _____
PETER VERNIERO, ATTORNEY GENERAL