

OFFICIAL SITE OF THE STATE OF NEW JERSEY

Translate (<https://translate.google.com/>)
Get Updates 📧 (<https://nj.gov/subscribe/>)
Search 🔍 (<https://nj.gov/search/>)

Governor Phil Murphy

Governor Murphy Signs Legislation Mandating Comprehensive Disclosure and Transparency Requirements for Civil Asset Forfeiture

01/13/2020

TRENTON – Governor Phil Murphy today signed legislation (S1963) mandating comprehensive disclosure and transparency requirements for the system of civil asset forfeiture.

“New Jersey law enforcement agencies currently have no permanent statutory requirement to disclose civil asset forfeitures,” **said Governor Murphy**. “This legislation would boost confidence in our justice system by requiring county prosecutors to track and report data on this practice. Allowing the public to understand how assets are being seized, where seized funds go, and where forfeited property is going is a huge step forward for transparency and accountability.”

Under the bill, county prosecutors would submit quarterly reports to the Attorney General detailing seizure and forfeiture activities by law enforcement agencies within their county. S1963 would also require specifying the law enforcement agency involved in a confiscation; date, description, and details of a seizure; the amount of funds or estimated value of a property; the alleged criminal offense associated with a seizure; and whether the defendant was charged with an offense and if those charges were ultimately dismissed or the defendant was acquitted, among other information.

Using this data, the Attorney General would be required to create an online searchable database of civil asset forfeitures across New Jersey. Law enforcement agencies that fail to comply with the mandate would be required to return seized property or proceeds resulting from forfeited property.

“As of right now, New Jersey has no reporting requirements for law enforcement agencies regarding property seizures, which has resulted in lacking transparency and protections for property owners,” **said Assemblywoman Angela McKnight**. “With this law the people of New Jersey and our state officials will finally have access to much needed data concerning which agencies are profiting from property seizures, what is being taken, and how the proceeds are being used.”

“Everyone – law enforcement, watchdog groups, and, most importantly, our residents – benefits from the confidence and accountability that transparency provides,” **said Assemblyman Jay Webber**. “The only way we ultimately can police the process of asset forfeiture is through honest and comprehensive tracking, reporting, and public accessibility of the facts of forfeiture. This legislation will make New Jersey a national leader in asset forfeiture transparency.”

“It’s un-American to take people’s property under the premise that it was gained through criminal activity when a person has not been convicted of a crime,” **said Assemblyman Erik Peterson**. “When homes, cars, money, and other property worth millions of dollars are seized every year, there must be adequate controls in



place to prevent abuses. There's no uniform seizure policy across the state making the reporting in this bill necessary. It shines a light on who is taking assets and ensures the money is used benefit taxpayers."

"Civil forfeiture has an extremely high potential for abuse, and it's nearly impossible to challenge – and yet it remains one of the most opaque practices in law enforcement. Now, New Jersey takes the important step of shining a light on civil asset forfeiture through increased transparency and reporting, which we hope will be the first step among many to curb its use and rein in the harms it inflicts. This law moves our state closer to curtailing and ultimately ending the use of civil forfeiture and the racially disparate over-policing it encourages, disproportionately occurring in communities that are already some of New Jersey's most vulnerable. We applaud Gov. Murphy for signing this law, and we commend the Legislature for passing it," **said ACLU-NJ Policy Director Sarah Fajardo.**

"We applaud Governor Murphy and the legislature on taking this step toward reforming civil asset forfeiture in New Jersey," **said Tony Howley, State Director of the Americans for Prosperity and AFP Foundation.**

"We look forward to continue working with a broad coalition of organizations to further ensure that our liberties, private property, and civil rights are protected."

"We believe the Civil Asset Forfeiture bill signed by Governor Murphy today takes steps toward achieving a goal of fairness and equal justice in civil asset forfeiture proceedings, particularly for those with low income and limited means – who are unfortunately vulnerable and the hardest hit by these laws," **said Akil Roper, Vice President and Assistant General Counsel Legal Services of New Jersey.** "The loss of property can disrupt employment, healthcare, family and other obligations and personal freedom. Disproportionate impact on racial minorities is also likely, given the higher rates of arrest for persons of color and its frequent employ in urban areas. Asset forfeiture litigants often have to go unrepresented, navigating a complex civil legal system which requires filing formal answers with costly fees, submitting evidence and making legal arguments."

"By itself, improved transparency cannot fix the fundamental problems with civil forfeiture—namely, the property rights abuses it permits and the temptation it creates to police for profit," **said Jennifer McDonald, Senior Research Analyst at the Institute for Justice.** "This bill is vitally important for bringing forfeiture activity and spending into the light of day and an important first step on the road towards comprehensive forfeiture reform."

With today's signing, New Jersey becomes the 34th state in the nation to pass civil asset forfeiture reform and the 24th state specifically instituting disclosure and transparency requirements.

Governor Phil Murphy

[Home \(/governor/\)](#)

Administration

[Governor Phil Murphy \(/governor/admin/about/\)](#)

[Lt. Governor Sheila Oliver \(/governor/admin/lt/\)](#)

[First Lady Tammy Snyder Murphy \(/governor/admin/fl/\)](#)

[Cabinet \(/governor/admin/cabinet/\)](#)

[Office of Health Care Affordability and Transparency](#)

[\(/governor/admin/affordablehealthcare/index.shtml\)](#)

[Boards, Commissions & Authorities \(/governor/admin/bca/\)](#)

[Internship Opportunities \(/governor/admin/internship.shtml\)](/governor/admin/internship.shtml)

[Governor's Residence - Drumthwacket \(http://drumthwacket.org/\)](http://drumthwacket.org/)

Key Initiatives

[Economy & Jobs \(/governor/initiatives/#Economy\)](/governor/initiatives/#Economy)

[Education \(/governor/initiatives/#Education\)](/governor/initiatives/#Education)

[Environment \(/governor/initiatives/#Environment\)](/governor/initiatives/#Environment)

[Health \(/governor/initiatives/#Health\)](/governor/initiatives/#Health)

[Law & Justice \(/governor/initiatives/#Justice\)](/governor/initiatives/#Justice)

[Transportation \(/governor/initiatives/#Transportation\)](/governor/initiatives/#Transportation)

News & Events

[Press Releases \(/governor/news/news/562022/approved/news_archive.shtml\)](/governor/news/news/562022/approved/news_archive.shtml)

[Photos \(https://www.flickr.com/photos/govmurphy\)](https://www.flickr.com/photos/govmurphy)

[Public Addresses \(/governor/news/addresses\)](/governor/news/addresses)

[Executive Orders \(/infobank/eo/056murphy/approved/eo_archive.html\)](/infobank/eo/056murphy/approved/eo_archive.html)

[Administrative Orders \(/governor/news/ao/approved/ao_archive.shtml\)](/governor/news/ao/approved/ao_archive.shtml)

[Direct Appointments \(/governor/news/appointments\)](/governor/news/appointments)

[Advice and Consent Appointments \(/governor/news/acappointments\)](/governor/news/acappointments)

[Statements on Legislation](#)

[\(/governor/news/statements/approved/statements_archive.shtml\)](/governor/news/statements/approved/statements_archive.shtml)

[Administration Reports \(/governor/news/adminreports/approved/archive.shtml\)](/governor/news/adminreports/approved/archive.shtml)

[Transition Reports \(/governor/news/reports/approved/reports_archive.shtml\)](/governor/news/reports/approved/reports_archive.shtml)

[Press Kits \(/governor/news/press\)](/governor/news/press)

Social

[Facebook \(https://www.facebook.com/governorphilmurphy/\)](https://www.facebook.com/governorphilmurphy/)

[Twitter \(https://twitter.com/GovMurphy\)](https://twitter.com/GovMurphy)

[Instagram \(https://www.instagram.com/govmurphy/\)](https://www.instagram.com/govmurphy/)

[Snapchat \(https://www.snapchat.com/add/philmurphy\)](https://www.snapchat.com/add/philmurphy)

[YouTube \(https://www.youtube.com/njgovernorsoffice\)](https://www.youtube.com/njgovernorsoffice)

[TikTok \(https://www.tiktok.com/@njgov?\)](https://www.tiktok.com/@njgov?)

Contact Us

[Scheduling Requests \(/governor/contact/scheduling/\)](/governor/contact/scheduling/)

[Contact Us \(/governor/contact/all/\)](/governor/contact/all/)

Statewide

[NJ Home \(/www.nj.gov\)](http://www.nj.gov)

[Services A to Z \(/www.nj.gov/nj/gov/njgov/alphaserv.html\)](http://www.nj.gov/nj/gov/njgov/alphaserv.html)

[Departments/Agencies \(/www.nj.gov/nj/gov/deptserv/\)](http://www.nj.gov/nj/gov/deptserv/)

[FAQs \(/www.nj.gov/faqs/\)](http://www.nj.gov/faqs/)

[Contact Us \(/www.nj.gov/nj/feedback.html\)](http://www.nj.gov/nj/feedback.html)

[Privacy Notice \(/www.nj.gov/nj/privacy.html\)](http://www.nj.gov/nj/privacy.html)

[Legal Statement & Disclaimers \(/www.nj.gov/nj/legal.html\)](http://www.nj.gov/nj/legal.html)

[Accessibility Statement \(/www.nj.gov/nj/accessibility.html\)](http://www.nj.gov/nj/accessibility.html)

[\(/nj.gov/opra/\)](http://nj.gov/opra/)

[\(https://my.state.nj.us/openam/UI/Login\)](https://my.state.nj.us/openam/UI/Login)

Copyright © State of New Jersey, 1996-2023
Office of Governor PO Box 001
Trenton, NJ 08625
609-292-6000

[\(https://tech.nj.gov/\)](https://tech.nj.gov/)