

Arizona earns a D- for its civil forfeiture laws:

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

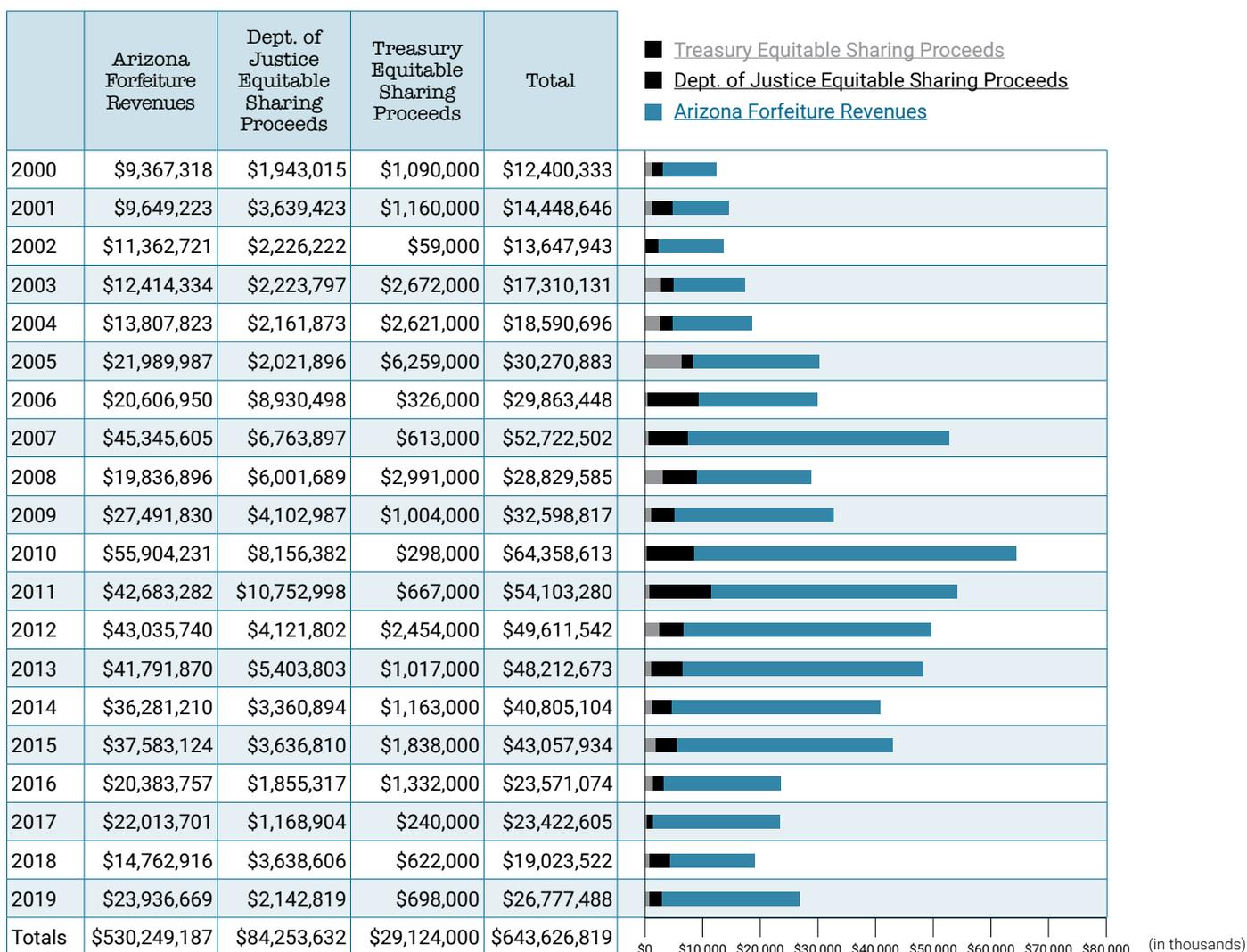
- (2017) HB 2477: Raised standard of proof; imposed new limits on participation in federal equitable sharing; strengthened transparency requirements by adopting IJ’s model reporting legislation; created right to attorney fees for owners and repealed the state’s unique “reverse” attorney fee provision, which forced owners to pay 100% of the government’s attorney fees if the government prevailed on as little as 1% of its case; mandated outside approvals for expenditures of forfeiture proceeds.

State and Federal Forfeiture Revenues, 2000–2019

Between 2000 and 2019, Arizona law enforcement agencies forfeited more than \$530 million under state law and generated an additional \$113 million from federal equitable sharing, for a total of at least \$643 million in forfeiture revenue—averaging more than \$32 million a year. Arizona ranks 23rd for its participation in the Department of Justice’s equitable sharing program. However, in 2017, the state prohibited federal forfeiture of locally seized property worth less than \$75,000 for equitable sharing.

**At least \$643 million
in forfeiture revenue**

2000–2019



All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation.

Arizona's Forfeiture Transparency and Accountability Report Card

| | | | |
|---|-----------|---|----------|
| Tracking Seized Property | A+ | Accessibility of Forfeiture Records | B |
| Accounting for Forfeiture Fund Spending | A | Penalties for Failure to File a Report | B |
| Statewide Forfeiture Reports | A | Financial Audits of Forfeiture Accounts | A |

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

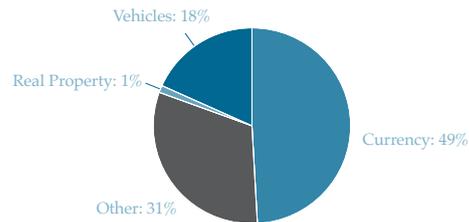
Forfeitures Under Arizona Law: Key Facts

Median Value



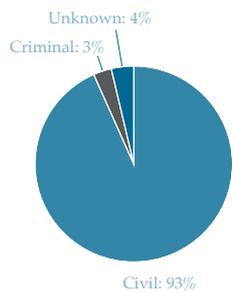
From 2018 to 2019, half of Arizona's currency forfeitures were worth less than \$1,000.

Property Types



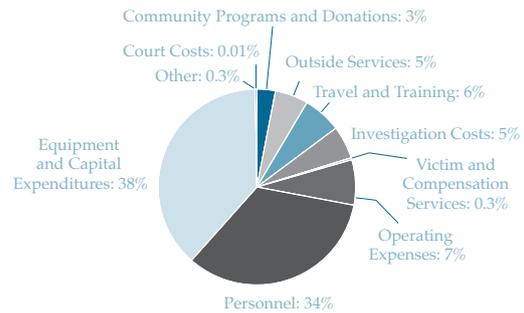
From 2018 to 2019, nearly half of Arizona's forfeitures were of currency.

Civil vs. Criminal



From 2018 to 2019, at least 93% of forfeited properties were processed under civil, not criminal, forfeiture laws.

Expenditures



From 2018 to 2019, Arizona law enforcement spent \$42 million from forfeiture funds—more than a third on personnel, including salaries and overtime.

Data Notes

Records were obtained from the Arizona Criminal Justice Commission website and via public records request to ACJC. Figures for fiscal years 2000 through 2019 represent the total county-level value of forfeited cash and property sold. Data from 2018 and 2019 also include other forfeitures, including the value of retained and destroyed forfeited property. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, state figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data.