

Montana earns a D- for its civil forfeiture laws:

- Higher bar to forfeit: Strong conviction provision requires conviction of the owner in a criminal proceeding held in conjunction with the forfeiture action. Once there is a conviction, property must be linked to the crime by clear and convincing evidence.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement (annual proceeds to state agencies above \$125,000 are split 50-50 between the general fund and a state forfeiture fund).

Recent Reforms

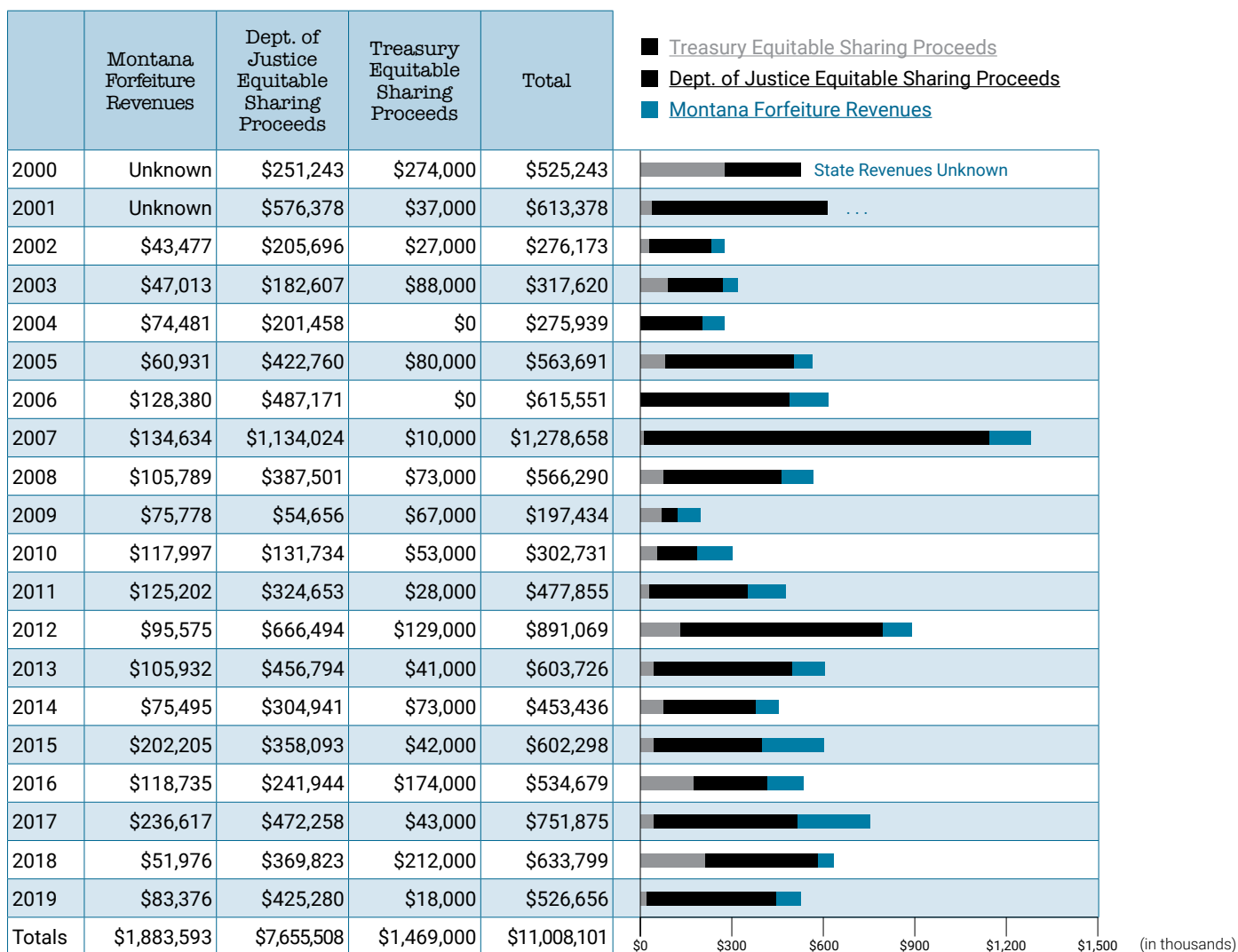
- None.

State and Federal Forfeiture Revenues, 2000–2019

Between 2002 and 2019, Montana law enforcement agencies forfeited nearly \$2 million under state law. Between 2000 and 2019, they generated an additional \$9 million from federal equitable sharing, for a total of at least \$11 million in forfeiture revenue. Montana ranks 9th for its participation in the Department of Justice’s equitable sharing program. The state does not prevent state and local agencies from using equitable sharing to circumvent state forfeiture law.

**At least \$11 million
in state and federal
forfeiture revenue**

2000–2019



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

Montana's Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	F	Accessibility of Forfeiture Records	F
Accounting for Forfeiture Fund Spending	F	Penalties for Failure to File a Report	Incomplete[†]
Statewide Forfeiture Reports	F	Financial Audits of Forfeiture Accounts	F

[†] No reporting requirements to enforce.

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

Forfeitures Under Montana Law: Key Facts

Median Value



Montana does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Montana does not report the types of property forfeited.

Civil vs. Criminal

UNKNOWN

Montana does not report whether forfeitures are processed under civil or criminal forfeiture law.

Expenditures

UNKNOWN

Montana does not report how forfeiture funds are spent.

Data Notes

Records were obtained via public records requests to the Montana Department of Justice. Figures represent fiscal-year forfeited cash and proceeds from sales of property deposited into the state special revenue fund. 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.