

New Hampshire earns a **D** for its civil forfeiture laws:

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture (see page 41). It purports to require conviction of the owner but also makes it the owner’s burden to prove their own innocence. The standard by which property must be linked to a crime following a conviction is unclear.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 90% of forfeiture proceeds go to law enforcement (45% to local law enforcement up to \$225,000 from a single forfeiture and 45% to the state drug forfeiture fund; any amount above \$1 million in the state drug forfeiture fund goes to the state general fund).

Recent Reforms

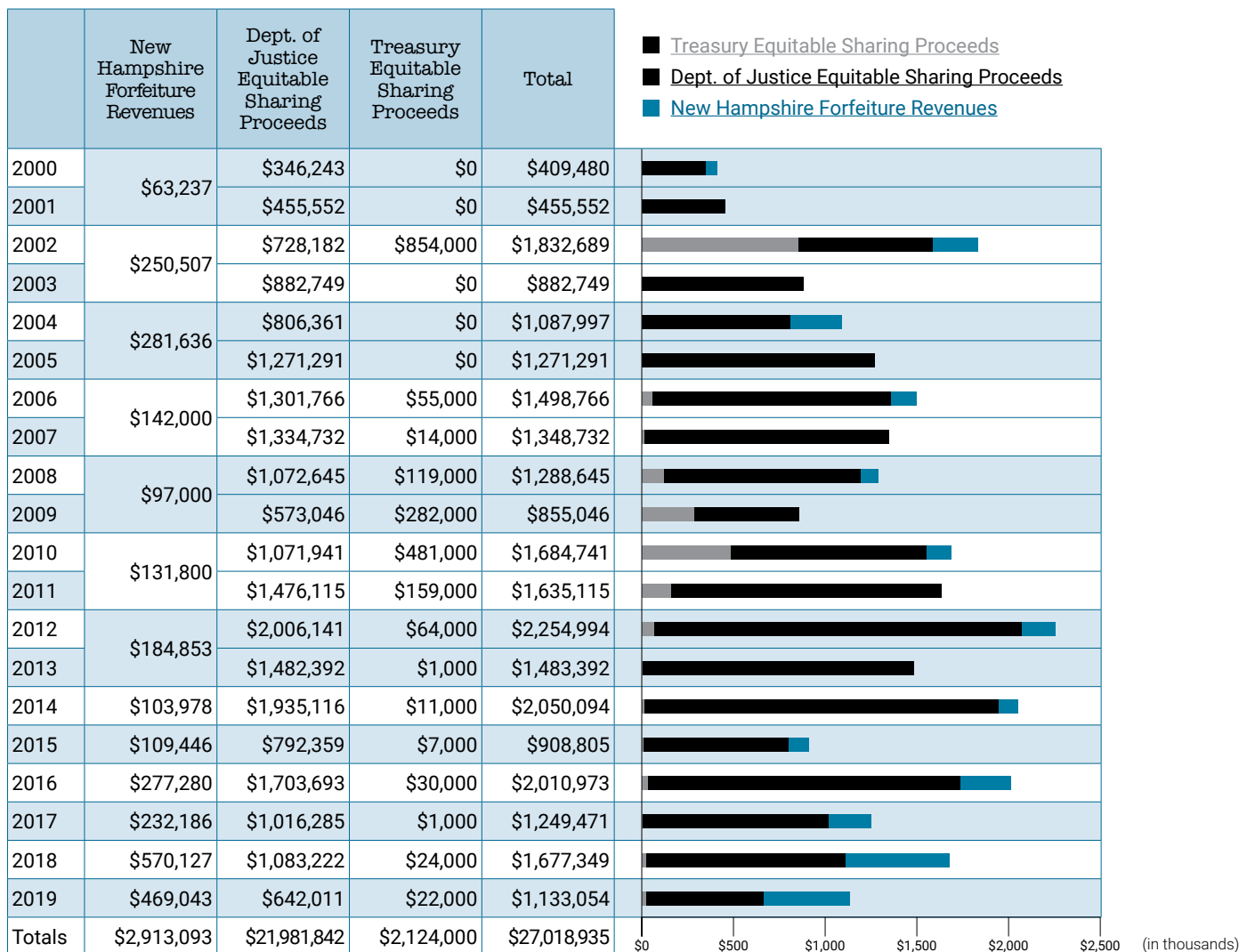
- (2018) SB 498: Strengthened transparency requirements.
- (2016) SB 522: Purported to raise standard of proof; created weak conviction provision; strengthened transparency requirements; abolished administrative forfeiture.

State and Federal Forfeiture Revenues, 2000–2019

Between 2000 and 2019, New Hampshire law enforcement agencies forfeited nearly \$3 million under state law and generated an additional \$24 million from federal equitable sharing, for a total of at least \$27 million in forfeiture revenue. New Hampshire ranks 11th 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 \$27 million
in state and federal
forfeiture revenue**

2000–2019



All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. Different state revenue sources for 2001–2013 and 2014–2019.

New Hampshire's Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D	Accessibility of Forfeiture Records	A
Accounting for Forfeiture Fund Spending	F	Penalties for Failure to File a Report	F
Statewide Forfeiture Reports	A	Financial Audits of Forfeiture Accounts	F

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

Forfeitures Under New Hampshire Law: Key Facts

Median Value



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

Property Types

UNKNOWN

New Hampshire does not report the types of property forfeited.

Civil vs. Criminal

UNKNOWN

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

Expenditures

UNKNOWN

New Hampshire does not report how forfeiture funds are spent.

Data Notes

Biennial reports of fiscal years 2001 through 2013 were obtained from the New Hampshire Attorney General's website and via public records request to the AG. Figures represent forfeited money and proceeds from sales of forfeited property. Figures for fiscal years 2014 through 2019 are from reports on the New Hampshire General Court website. Figures represent revenue deposited to the state's Drug Forfeiture Fund. They include maintenance costs and may include restitution. 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.