

New Jersey 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 applies only to contested forfeitures of cash worth less than \$1,000 or other property worth less than \$10,000, putting the burden on owners to engage in a costly legal battle to win back low-value property. On the other hand, it precludes forfeiture when criminal charges related to the property seizure are never filed against a person (not necessarily the owner) or prosecutors fail to establish the person's criminal culpability. Once the conviction provision is satisfied, property must be linked to the crime by preponderance of the evidence.
- 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 when forfeiture is pursued by local agencies; 95% when forfeiture is pursued by the attorney general.

Recent Reforms

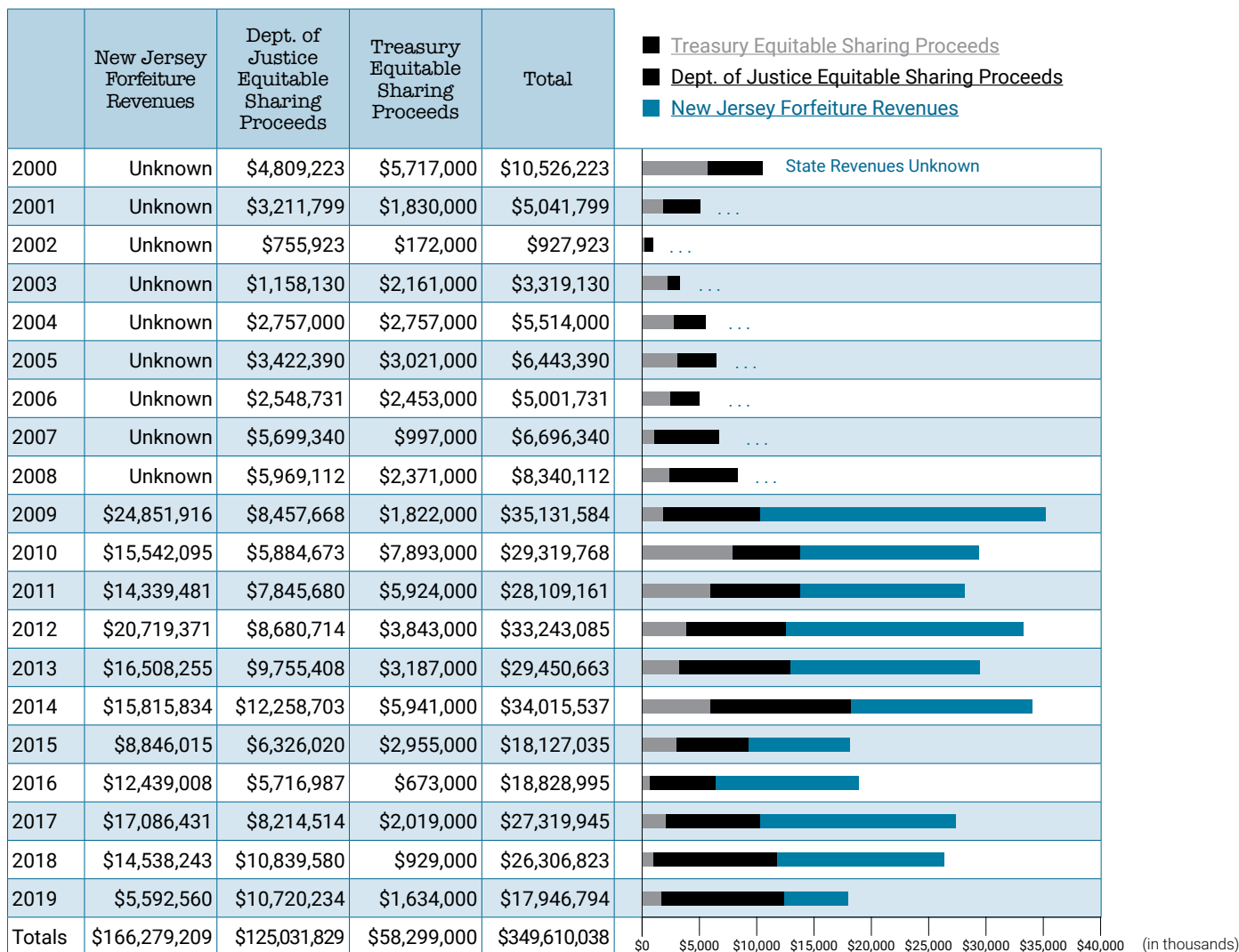
- (2020) A4970: Created weak conviction provision.
- (2020) A3442/S1963: Adopted IJ's model reporting legislation, giving New Jersey one of the best forfeiture transparency laws in the country.

State and Federal Forfeiture Revenues, 2000–2019

Between 2009 and 2019, New Jersey law enforcement agencies forfeited more than \$166 million under state law. Between 2000 and 2019, they generated an additional \$183 million from federal equitable sharing, for a total of at least \$349 million in forfeiture revenue. New Jersey ranks 37th 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 \$349 million
in state and federal
forfeiture revenue**

2000–2019



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

New Jersey's Forfeiture Transparency and Accountability Report Card

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

[†] Spending and statewide reports required by the 2020 reform not yet available.

^{*} Agencies must file even when they have nothing to report.

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

Forfeitures Under New Jersey Law: Key Facts

Median Value



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

Property Types

UNKNOWN

New Jersey does not report the types of property forfeited.

Civil vs. Criminal

UNKNOWN

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

Expenditures

UNKNOWN

New Jersey does not report how forfeiture funds are spent.

Data Notes

Forfeiture reports were obtained from the New Jersey Attorney General's website and via public records requests to each county prosecutor. All figures are in calendar years and represent the AG's cash forfeited and disbursed to law enforcement as well as the DA's cash forfeited and value of forfeited property. One county failed to provide records for 2014 through 2018. 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.