

New York earns a C for its civil forfeiture laws:

- Somewhat higher bar to forfeit: In drug cases, prosecutors must provide clear and convincing evidence that a crime occurred and then prove seized property’s connection to that crime by preponderance of the evidence. A very weak conviction provision applies in non-drug cases.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 60% of forfeiture proceeds go to law enforcement.

Recent Reforms

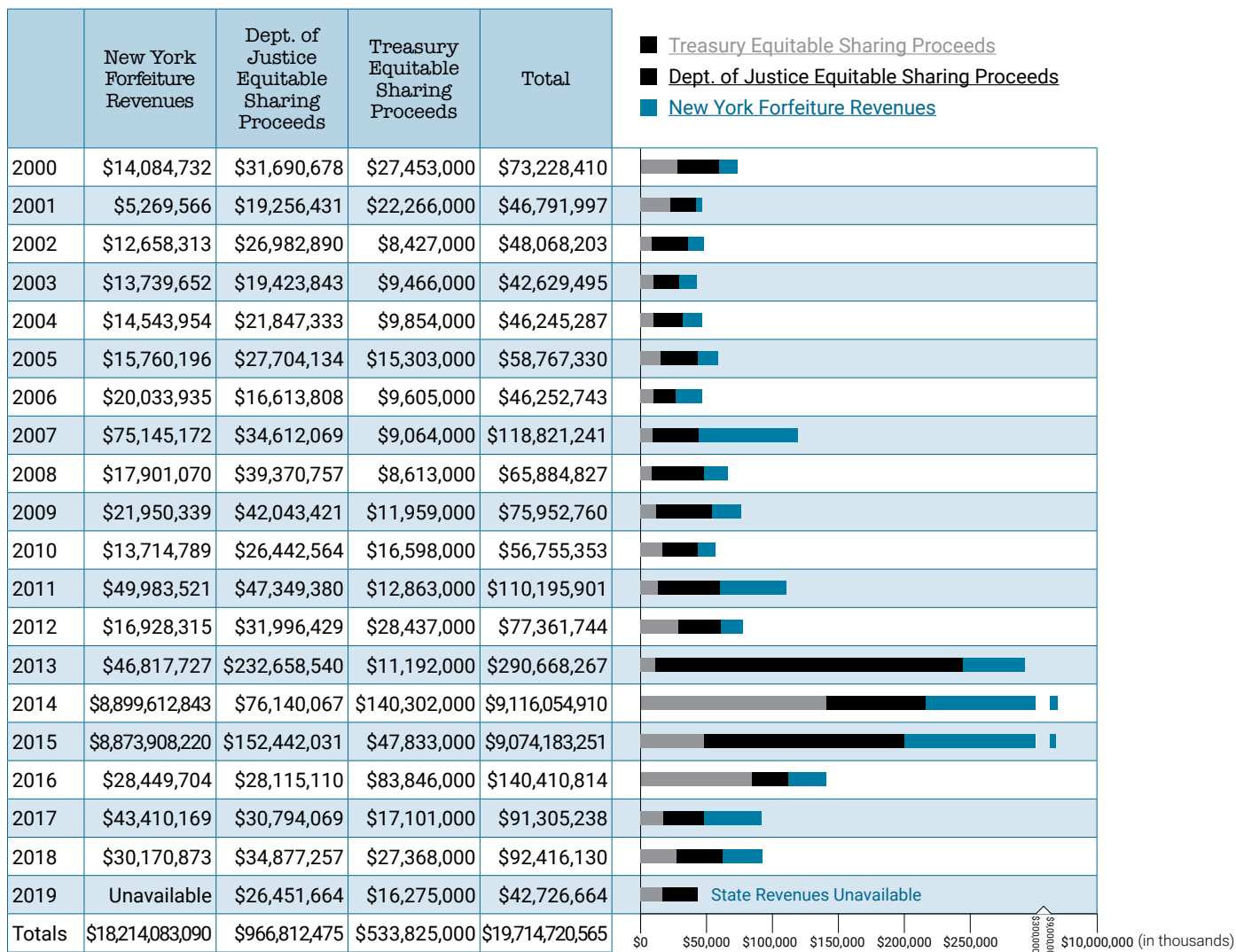
- (2018) FY 2020 State Budget: Strengthened transparency requirements.

State and Federal Forfeiture Revenues, 2000–2019

Between 2000 and 2018, New York law enforcement agencies forfeited more than \$18.2 billion under state law. Between 2000 and 2019, they generated an additional \$1.4 billion from federal equitable sharing, for a total of at least \$19.7 billion in forfeiture revenue. New York ranks 50th 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.

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in state and federal
forfeiture revenue

2000–2019



All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. State reporting format changed in 2010. Outliers in 2014 and 2015 are attributed to forfeitures by the New York County District Attorney’s office.

New York's Forfeiture Transparency and Accountability Report Card

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

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

Forfeitures Under New York Law: Key Facts

Median Value



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

Property Types

UNKNOWN

New York does not report the types of property forfeited.

Civil vs. Criminal

UNKNOWN

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

Expenditures

UNKNOWN

New York does not report how most forfeiture funds are spent.

Data Notes

Calendar-year figures are from reports on the New York State Division of Criminal Justice Services website. Generally, figures purport to represent the value of assets forfeited. Those for 2011 represent only money forfeited. Figures for 2012 through 2018 include the value of retained vehicles and other forfeited property. Spikes in 2014 and 2015 are attributed to New York County's reported total forfeited assets. Case-level data obtained via public records request to CJS could not be used for further analysis. 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.