

# Utah 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.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

## Recent Reforms

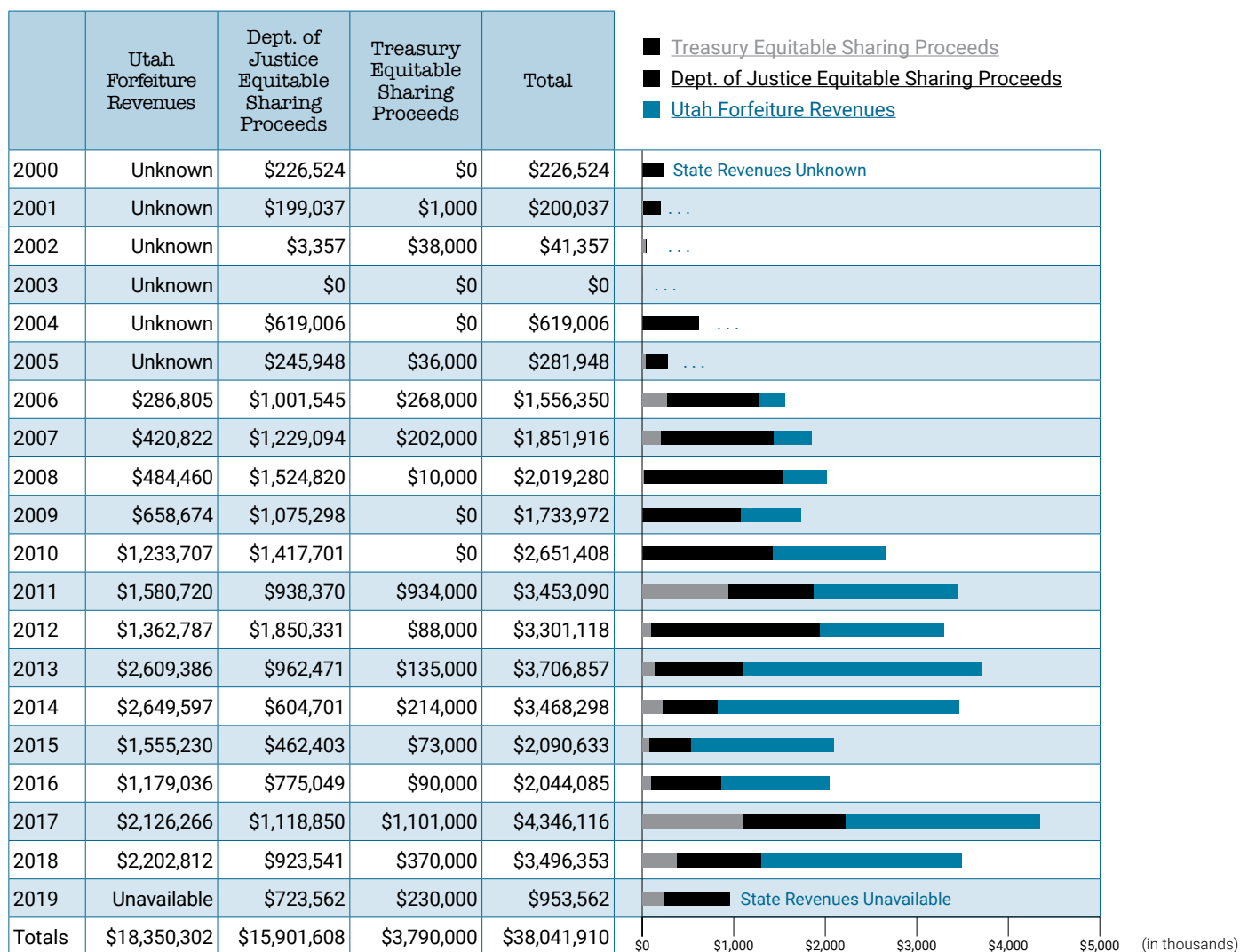
- (2017) SB 87: Mandated that seized property be returned if owner is acquitted; required return of cash under \$10,000 if prosecutors fail to file criminal charges within 60 days of filing for forfeiture and owner filed response; increased availability of attorney fees for innocent owners.
- (2015) SB 52: Strengthened transparency requirements.

## State and Federal Forfeiture Revenues, 2000–2019

Between 2006 and 2018, Utah law enforcement agencies forfeited more than \$18 million under state law. Between 2000 and 2019, they generated an additional \$20 million from federal equitable sharing, for a total of at least \$38 million in forfeiture revenue. Utah ranks 10th 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 \$38 million  
in state and federal  
forfeiture revenue**

2000–2019



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

# Utah's Forfeiture Transparency and Accountability Report Card

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

For full transparency and accountability grades, visit [www.ij.org/TransparencyReportCards](http://www.ij.org/TransparencyReportCards).

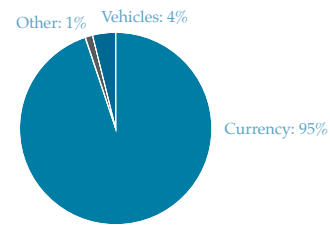
## Forfeitures Under Utah Law: Key Facts

### Median Value



From 2015 to 2018, half of Utah's currency forfeitures were worth less than \$1,136.

### Property Types



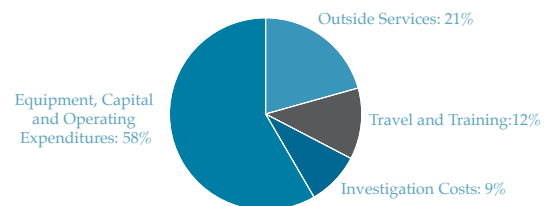
From 2015 to 2018, nearly all of Utah's forfeitures were of currency.

### Civil vs. Criminal

**UNKNOWN**

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

### Expenditures



From 2007 to 2019, Utah law enforcement agencies spent \$13 million from forfeiture funds—58% on capital expenditures, operating expenses and equipment.

### Data Notes

All data and records were obtained via public records requests to the Utah Commission on Criminal and Juvenile Justice. Fiscal years 2006 through 2013 represent case-level forfeiture proceeds. Calendar years 2015 through 2018 represent property-level forfeiture values, including those of retained and destroyed property. Expenditures are in fiscal years and represent grants to agencies from the State Asset Forfeiture Grants program administered by CCJJ. 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.