

West Virginia earns a **D-** for its civil forfeiture laws:

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- 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.

Recent Reforms

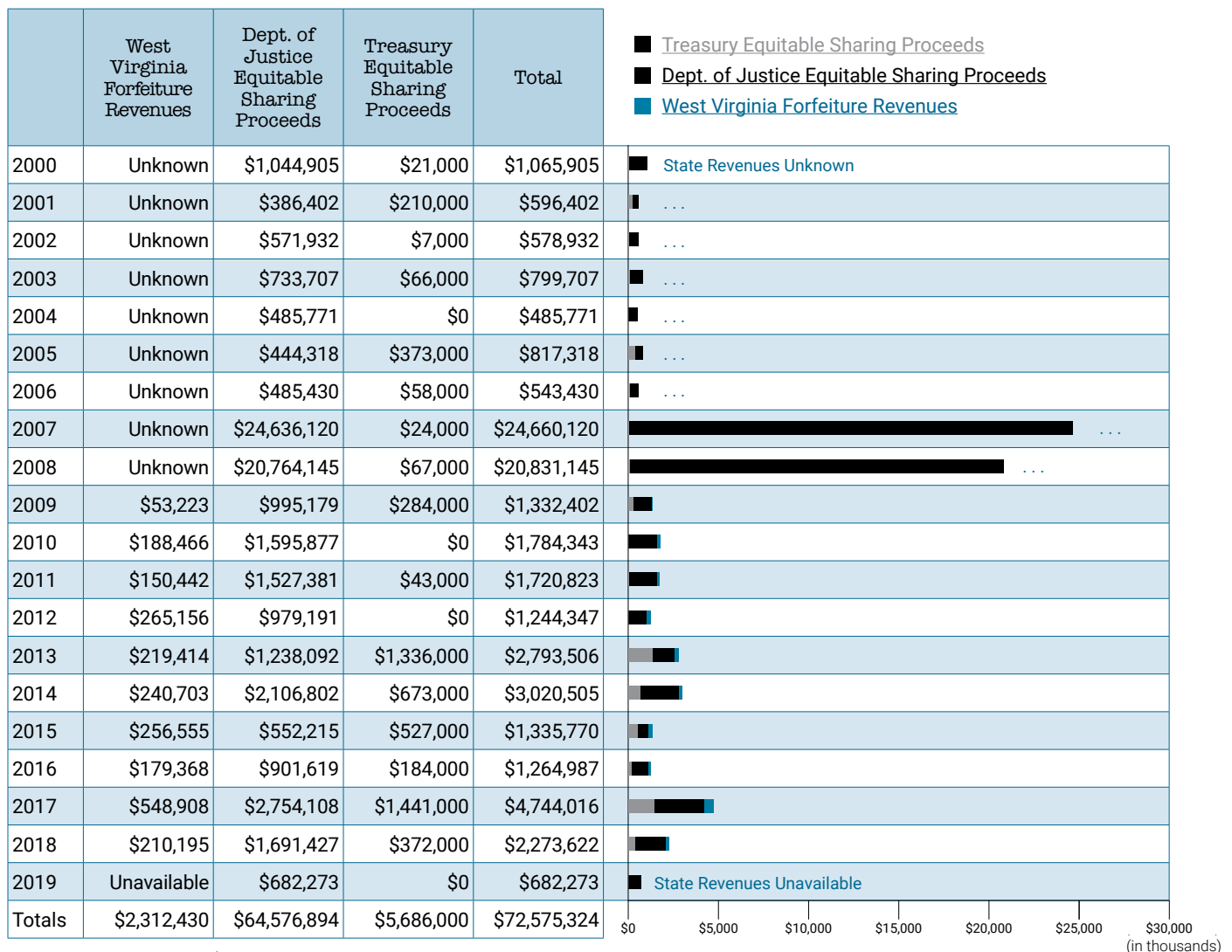
- (2020) HB 4717: Strengthened transparency requirements.

State and Federal Forfeiture Revenues, 2000–2019

Between 2009 and 2018, the West Virginia State Police and Charleston Police Department forfeited more than \$2 million under state law. Between 2000 and 2019, West Virginia law enforcement agencies generated an additional \$70 million from federal equitable sharing, for a total of at least \$72 million in forfeiture revenue. West Virginia ranks 16th for its participation in the Department of Justice's equitable sharing program. The state does not prevent agencies from using equitable sharing to circumvent state law.

**At least \$72 million
in state and federal
forfeiture revenue**

2000–2019



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

West Virginia's Forfeiture Transparency and Accountability Report Card

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

† Accounting 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.ij.org/TransparencyReportCards.

Forfeitures Under West Virginia Law: Key Facts

Median Value



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

Property Types

UNKNOWN

West Virginia does not report the types of property forfeited.

Civil vs. Criminal

UNKNOWN

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

Expenditures

UNKNOWN

West Virginia does not report how forfeiture funds are spent.

Data Notes

No statewide records available, but forfeiture records were obtained via public records requests to the WVSP and the city of Charleston. Presented figures represent only combined revenues of the WVSP and the CPD. West Virginia had no reporting requirements before the reporting law enacted in 2020. 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.