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Today's Landmark Settlement

Limits What can be Seized for Forfeiture

- No seizure or forfeiture of property for simple drug possession.
- No seizures of less than \$1,000 if not part of arrest or evidence in criminal case.
- No attempts to forfeit cash in amounts less than \$250.
- No attempts to forfeit cash unless drugs or evidence of criminal activity are found.

Ensures Better Notice

- Police must provide people with detailed receipt of property seized that explains how to ask the Court to order return of property.
- The city and District Attorneys' Office must use outside records to locate property owners and notify them of the seizure.
- The District Attorney's Office must make two separate attempts to personally serve forfeiture papers on property owners in Philadelphia—far more rigorous than what the law currently requires.
- Property owners must be given important information about the forfeiture process before going to court.
- Courtroom staff will identify owners who have limited proficiency in English and provide them with translation services.

Provides Prompt Hearings

- Legal papers to begin forfeiture proceedings must be filed within 90 days of a seizure, absent exceptional circumstances. If no timely papers are filed, seized property must be returned unless needed as evidence in an active criminal case.
- Property owners may seek immediate return of property for the duration of the forfeiture proceeding, either because it should not have been seized or because the seizure is a hardship to the owner and/or his or her family.

Guarantees Procedural Protections

- Ensures judges control forfeiture proceedings and monitor settlements for fairness.
- Prohibits prosecutors from making owners repeatedly return to court at the risk of losing their property forever.
- Lets property owners seek and secure continuances if they cannot attend a hearing.
- Requires the District Attorney prove that an owner knew about any illegal use of his or her property.

Ends Policing for Profit

- Prohibits the District Attorney's Office and the Philadelphia Police Department from keeping forfeiture proceeds and using them to pay salaries or other law-enforcement expenses.
- Requires forfeiture proceeds to be directed to community-based drug prevention and treatment programs.

Compensates Innocent Owners

- Establishes a \$3 million fund to compensate class members who were forfeiture victims.
 - Each qualifying person who submits a timely claim will get up to \$90 in recognition of the violation of their constitutional rights.
 - Each qualifying person who forfeited property, but who was not convicted of a related criminal charge, will get up to 100 percent of the value of their forfeited property.
 - Each qualifying person who forfeited property, but who was only sent to a diversionary program for low-level, first-time offenders, will get up to 75 percent of the value of their forfeited property.
- Undisbursed funds will be donated to nonprofit organizations that provide services to communities hardest hit by Philadelphia's former forfeiture practices.