



Jewish Social Policy Action Network
Progressive Voices for a Healthy Democracy

October 19, 2015

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Patrick Cawley
Chief Counsel, Senate Judiciary Committee
Harrisburg, PA

Dear Mr. Cawley:

Jewish Social Policy Action Network (JSPAN) is pleased to submit this letter of support for SB 869, significantly modifying the use of civil forfeiture in Pennsylvania. *Criminal* forfeiture laws have the laudable goal of preventing criminals from profiting from their crimes, and to give law enforcement another tool to make returning to a life of crime following punishment more difficult. So, for instance, if authorities find a house converted into a manufacturing site for methamphetamines, they may seek to evict any residents and seize the home upon conviction to prevent the house from returning to use as a meth-lab.

Meanwhile, *civil* forfeiture has evolved through the years as a similar kind of tool for law enforcement. However, under current Pennsylvania law, civil forfeiture may be used as long as prosecutors demonstrate a connection between the property in question and a particular crime, whether or not there is a conviction, or even an indictment. Moreover, monetary proceeds from civil forfeiture may go in full to local law enforcement agencies, providing a direct incentive to law enforcement agencies to use the procedure to meet their budgets, without oversight by the legislature or other governmental agency.

JSPAN joins the ACLU and other organizations in calling for an immediate change in the Commonwealth's civil forfeiture laws. To that end, we support SB 869, which would set clear and uniform procedures for using civil forfeiture, postpone seizure until conviction and then ensure that property owners have adequate procedural protections, and eliminate the profit motive by requiring that all proceeds from forfeiture go into a general government fund.

These reforms would maintain the purposes of the civil forfeiture statutes while eliminating the potential for abuse that has raised both legal and moral objections.

Based in Philadelphia, JSPAN is a Jewish voice for progressive social change, working in the spirit of Tikkun Olam, the betterment of the world, to advance equality and opportunity for all and to protect the constitutional liberties and civil rights of Jews, other minorities, and the weak in our society.

Sincerely,

Rabbi Seymour Rosenbloom
President

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