

SB 443 (Mitchell)

End Policing for Profit in California



We are
the Drug
Policy
Alliance.



Imagine you're on your way to buy a used car and a police officer pulls you over. After asking you a few questions, the officer asks to search your car. Knowing you've done nothing wrong, you agree. The next thing you know, the officer is telling you that he's suspicious that you have \$2,500 in cash – and he takes it. You explain that you're on your way to buy a car. He doesn't believe you and tells you that if you want your cash back, you'll have to fight for it in court.

You might be surprised to learn that the above scenario happens every day in California. What's worse: it's perfectly legal. It's called "civil asset forfeiture."

For years, California law enforcement has taken advantage of a loophole in outdated federal laws that lets them take—and permanently keep—a person's cash, car, or home without even arresting them. This was never meant to happen.

Senate Bill 433, introduced by Sen. Holly Mitchell will help end policing for profit. The legislation will close the door on this predatory practice

by preventing local law enforcement agencies from permanently keeping someone's cash or property if the person hasn't been convicted of a crime. This should be common sense for legislators. In fact, a recent Tulchin Research poll found that 76% of surveyed California voters oppose letting law enforcement seize and permanently keep property from people who have not been convicted of a crime.

We've seen far too many law enforcement agencies cash in on poor people's life savings, their hard-earned wages, their wedding rings, and their homes with no accountability. **Our communities deserve an end to predatory policing for profit.** SB 443 is long overdue.

WHAT YOU SHOULD KNOW

SB 443 will

1. Require that a person be convicted of a crime before they're permanently deprived of their cash or property under state law.
2. Require that CA law enforcement agencies keep more asset forfeiture cases in CA courts rather than transferring cases to federal courts where property rights and evidentiary standards are much lower.
3. Prevent CA law enforcement from receiving a share of federally forfeited assets unless there has been an underlying conviction.



PLEASE GET INVOLVED!

Email or call Jess Farris (jfarris@aclusocal.org; 213-977-5208) to find out how you can support SB 443!

For more information about SB 443, please contact Jess Farris at jfarris@aclusocal.org or read DPA's report, [Above the Law, An Investigation of Civil Asset Forfeiture in California](#).