

2013 Annual Report

asset FORFEITURE



Kamala D. Harris, Attorney General
California Department of Justice

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Health and Safety Code Section 11495

11495. (a) The funds received by the law enforcement agencies under section 11489 shall be deposited into an account maintained by the Controller, county auditor, or city treasurer. These funds shall be distributed to the law enforcement agencies at their request. The Controller, auditor, or treasurer shall maintain a record of these disbursements which records shall be open to public inspection, subject to the privileges contained in sections 1040, 1041, and 1042 of the Evidence Code.

(b) Upon request of the governing body of the jurisdiction in which the distributions are made, the Controller, auditor, or treasurer shall conduct an audit of these funds and their use. In the case of the state, the governing body shall be the Legislature.

(c) Each year, the Attorney General shall publish a report which sets forth the following information for the state, each county, each city, and each city and county:

(1) The number of forfeiture actions initiated.

(2) The number of cases and the administrative number or court docket number of each case for which forfeiture was ordered or declared.

(3) The value of the assets forfeited.

(4) The recipients of the forfeited assets, the amounts received, and the date of the disbursement.

(d) The Attorney General shall develop administrative guidelines for the collection and publication of the information required in subdivision (c).

(e) The Attorney General's report shall cover the calendar year and shall be made no later than March 1 of each year beginning with the year after the enactment of this law.

Table of Contents

Introduction.....	1
Highlights.....	3
Methodology.....	5
Asset Forfeiture Statistical Data	7
Forfeitures Initiated.....	9
Forfeitures Completed	13
Amador	17
Butte.....	18
Calaveras.....	31
Contra Costa.....	32
Fresno.....	51
Glenn.....	55
Humboldt	56
Kern.....	63
Kings.....	74
Lake.....	75
Lassen	78
Los Angeles.....	79
Madera	143
Marin.....	144
Mendocino	145
Merced	163
Modoc	165
Monterey	166
Napa	168
Nevada	171
Orange.....	172

Table of Contents

Forfeitures Completed continued

Placer.....	207
Plumas.....	219
Riverside	220
Sacramento.....	237
San Bernadino	271
San Diego.....	291
San Francisco	293
San Joaquin	319
San Luis Obispo.....	321
San Mateo	323
Santa Barbara	330
Santa Clara	340
Santa Cruz.....	353
Shasta	355
Siskiyou.....	361
Solano	362
Sonoma	374
Stanislaus	388
Sutter	392
Tehama	393
Trinity.....	398
Tulare	402
Tuolumne	406
Ventura	407
Yolo.....	421
Yuba	423

INTRODUCTION

California's asset forfeiture statute, section 11495 of the Health and Safety Code, requires the Attorney General to publish an annual report that provides the following information for the state and each county:

- The number of forfeiture actions initiated during the report year.
- The number of cases and the administrative number or court docket number of each case for which forfeiture was ordered or declared during the report year.
- The value of the assets forfeited during the report year.
- The recipients of the forfeited assets, the amounts received, and the dates of the disbursements.

The information contained in this report covers seizures and forfeitures conducted pursuant to California law only. Federal seizures and forfeitures in which California law enforcement agencies participated or shared are not reported in this document.

The 19th annual report covers the 2013 calendar year.



State of California – Asset Forfeiture Report 2013

HIGHLIGHTS

Statistics were solicited from California's 58 counties, 50 of which provided information for this report.

- A total of 3,269 forfeiture proceedings were initiated in 2013.
- A total of 3,293 forfeiture cases were completed during 2013, which included cases initiated in 2013 and prior years. The total value of the disbursed assets is \$28,130,455.
- Three counties reported no forfeiture cases in 2013, and five counties did not participate in this report.

METHODOLOGY

To comply with the requirements of Health and Safety Code section 11495, the Department of Justice (DOJ) reaches out to all California district attorneys, the officials conducting state forfeiture proceedings, to provide the DOJ with the required information for each forfeiture action conducted during the reporting period.

The DOJ collects the statistical data from all participating counties and converts the information into a uniform format suitable for printing. Prior to publishing this report, the counties are provided with a draft and have an opportunity to make corrections.

This report provides the information required by Health and Safety Code section 11495 on all forfeitures initiated during calendar year 2013, both by county and statewide. For forfeitures completed during calendar year 2013, detailed information is provided including the total number of completed cases, case numbers, asset values, and recipients of the forfeited assets.

Pursuant to Health and Safety Code section 11489, state asset forfeiture proceeds are distributed as follows:

- One percent to a private, nonprofit organization composed of local prosecutors for the exclusive purpose of providing a statewide program of education and training for prosecutors and law enforcement in the ethics and proper use of state asset forfeiture laws.
- Ten percent to the prosecutorial agency that processes the forfeiture action.
- Twenty-four percent to the State General Fund.
- Sixty-five percent to the state and/or local law enforcement agencies that participated in the seizure, distributed in a manner that reflects the proportionate contribution of each agency.
- Fifteen percent of the funds distributed to law enforcement must be deposited in a special fund which is maintained by a council made up of local government entities. This fund shall be used for the sole purpose of funding programs designed to combat drug abuse and divert gang activity.

METHODOLOGY continued

Some counties have reported the disposition of 15 percent of their share to a special fund, while others have not, nor are they required to. For those counties that include the 15 percent, the special fund's share is listed in Table 3 as going to "15%-11489" or to a county special fund.

In some cases in which the report lists only one law enforcement recipient, that agency may have made further distributions to other law enforcement agencies that assisted in that case.

asset forfeiture

STATISTICAL DATA



forfeitures INITIATED

- Table 1 provides information on asset forfeiture actions initiated pursuant to California law during 2013.
- For purposes of this report, seizure of assets constitutes the initiation of a forfeiture action.
- Some cases listed involved forfeiture actions that were still pending after 2013. In other cases, forfeiture was ordered or declared and assets were distributed during 2013. (Details on the latter are provided in the “Forfeitures Completed” section.)
- The counties of Alpine, Inyo and Mono have no information listed in Table 1 because they did not initiate any forfeiture actions during 2013.
- The following counties did not participate in this report: Alameda, Del Norte, Mariposa, San Benito and Sierra. Counties are not mandated to provide the DOJ with their asset forfeiture data.



State of California – Asset Forfeiture Report 2013

Table 1

County	Total Cases Initiated	Estimated Value of Assets Seized
ALAMEDA	0	\$0.00
ALPINE	0	\$0.00
AMADOR	5	\$11,607.59
BUTTE	123	\$1,219,147.33
CALAVERAS	3	\$30,723.00
COLUSA	3	\$84,980.00
CONTRA COSTA	138	\$580,986.75
DEL NORTE	0	\$0.00
EL DORADO	27	\$167,197.12
FRESNO	19	\$60,556.53
GLENN	9	\$88,119.00
HUMBOLDT	59	\$928,202.85
IMPERIAL	5	\$128,207.00
INYO	0	\$0.00
KERN	106	\$569,889.16
KINGS	2	\$4,728.00
LAKE	72	\$414,145.53
LASSEN	4	\$24,688.74
LOS ANGELES	493	\$9,543,008.77
MADERA	26	\$157,470.30
MARIN	4	\$55,071.00
MARIPOSA	0	\$0.00
MENDOCINO	204	\$3,095,615.84
MERCED	13	\$107,771.00
MODOC	1	\$13,360.00
MONO	0	\$0.00
MONTEREY	110	\$333,314.73
NAPA	33	\$97,515.15
NEVADA	7	\$79,943.00
ORANGE	184	\$828,516.78
PLACER	102	\$389,707.68
PLUMAS	2	\$3,265.00
RIVERSIDE	118	\$6,417,764.00
SACRAMENTO	316	\$3,357,758.79
SAN BENITO	0	\$0.00
SAN BERNARDINO	142	\$1,472,289.46
SAN DIEGO	12	\$683,215.96
SAN FRANCISCO	34	\$95,873.00
SAN JOAQUIN	91	\$429,205.43



State of California – Asset Forfeiture Report 2013

Table 1

County	Total Cases Initiated	Estimated Value of Assets Seized
SAN LUIS OBISPO	13	\$27,822.00
SAN MATEO	75	\$453,652.91
SANTA BARBARA	38	\$158,680.69
SANTA CLARA	26	\$100,671.81
SANTA CRUZ	14	\$11,089.38
SHASTA	72	\$723,230.39
SIERRA	0	\$0.00
SISKIYOU	20	\$796,677.00
SOLANO	115	\$868,660.30
SONOMA	101	\$1,668,219.17
STANISLAUS	37	\$249,725.58
SUTTER	16	\$151,015.00
TEHAMA	62	\$1,454,308.31
TRINITY	9	\$205,038.54
TULARE	38	\$500,450.87
TUOLUMNE	5	\$12,537.00
VENTURA	124	\$869,903.36
YOLO	25	\$155,263.09
YUBA	12	\$53,446.00
Total:	3,269	\$39,934,235.89

forfeitures COMPLETED

- Table 2 provides summary information by county on asset forfeiture actions completed pursuant to California law during 2013. This includes disbursement information on cases initiated in 2013 and prior years.
- For purposes of this report, an asset forfeiture case is considered completed when forfeiture has been ordered or declared and all assets have been distributed. (When all seized items are returned to the defendant following adjudication of a previously-initiated case, it is no longer considered to be an asset forfeiture case.)
- Table 3 provides detailed information on each asset forfeiture case that was completed during 2013. This includes disbursement information on cases initiated in 2013 and prior years.
- Cases for which only a partial distribution was made during 2013 are not listed in Table 3, as they are still considered to be pending. They will be reported once they are fully distributed.
- Alpine, Inyo and Mono counties have no information listed in Table 2 and are not included in Table 3 because they did not distribute assets from any forfeiture cases during 2013.
- The following counties did not participate in this report: Alameda, Del Norte, Mariposa, San Benito and Sierra.



State of California – Asset Forfeiture Report 2013

Table 2

County	Forfeitures Completed	Amount Disbursed
ALAMEDA	0	\$0.00
ALPINE	0	\$0.00
AMADOR	5	\$7,677.64
BUTTE	97	\$348,481.47
CALAVERAS	2	\$28,277.31
COLUSA	0	\$0.00
CONTRA COSTA	143	\$372,835.57
DEL NORTE	0	\$0.00
EL DORADO	0	\$0.00
FRESNO	25	\$79,454.32
GLENN	5	\$14,392.77
HUMBOLDT	56	\$461,600.65
IMPERIAL	0	\$0.00
INYO	0	\$0.00
KERN	98	\$608,530.12
KINGS	7	\$82,513.27
LAKE	25	\$71,025.87
LASSEN	3	\$12,434.15
LOS ANGELES	594	\$5,539,789.04
MADERA	1	\$687.31
MARIN	6	\$44,592.17
MARIPOSA	0	\$0.00
MENDOCINO	89	\$1,392,649.03
MERCED	11	\$84,818.23
MODOC	4	\$24,595.89
MONO	0	\$0.00
MONTEREY	12	\$12,814.20
NAPA	26	\$453,621.84
NEVADA	6	\$46,501.00
ORANGE	320	\$2,590,771.65
PLACER	90	\$462,410.44
PLUMAS	6	\$12,430.00
RIVERSIDE	127	\$2,341,106.36
SACRAMENTO	333	\$3,821,944.47
SAN BENITO	0	\$0.00
SAN BERNARDINO	153	\$2,392,430.98
SAN DIEGO	16	\$89,856.07
SAN FRANCISCO	234	\$927,339.35
SAN JOAQUIN	8	\$94,303.29
SAN LUIS OBISPO	9	\$19,396.64
SAN MATEO	59	\$229,827.32



State of California – Asset Forfeiture Report 2013

Table 2

County	Forfeitures Completed	Amount Disbursed
SANTA BARBARA	92	\$563,099.69
SANTA CLARA	96	\$440,747.80
SANTA CRUZ	14	\$180,987.68
SHASTA	47	\$561,762.86
SIERRA	0	\$0.00
SISKIYOU	5	\$148,124.18
SOLANO	104	\$263,007.89
SONOMA	107	\$1,842,603.40
STANISLAUS	26	\$164,125.20
SUTTER	2	\$77,733.30
TEHAMA	34	\$339,237.96
TRINITY	21	\$358,824.24
TULARE	36	\$176,631.51
TUOLUMNE	4	\$11,752.98
VENTURA	122	\$298,149.51
YOLO	10	\$29,910.00
YUBA	3	\$4,648.87
Total:	3,293	\$28,130,455.49