



MINNESOTA CHIEFS OF POLICE ASSOCIATION

DEDICATED TO THE IDEALS OF PROFESSIONAL POLICING

April 30, 2020
Re: House File 4571

Members of the House Public Safety and Criminal Justice Reform Finance and Policy Division:

On behalf of more than 300 police chiefs in our state, the Minnesota Chiefs of Police Association (MCPA) supports several forfeiture reform measures proposed in House File 4571 but we oppose the bill as written. We believe the bill blatantly ignores the realities of the illegal drug trade, which continues to wreak havoc in communities across the state.

We are most concerned with the \$1500 forfeiture cash threshold. We think it will have a debilitating impact on law enforcement's ability to cut off the flow of money from street dealers to their bosses, the drug kingpins. The most effective way to remove drugs from a community, to keep drugs out of our schools and away from our kids, is to disrupt the cash flow.

Contrary to what some people believe, a drug dealer with \$1500 isn't a small-time dealer. This is true in the big cities and especially in the small towns.

For context, a dealer can buy an ounce of heroin for \$1500. An ounce is 28.35 grams. The typical user amount of heroin is 1/10th of a gram. Using these numbers, \$1500 equals more than 283 individual drug deals.

Fentanyl is basically the same price, but it's 25-50 times stronger than heroin. In Hennepin County alone, at least 135 people died from fentanyl or fentanyl analog overdoses in 2019. That's a tenfold increase from the number that fatally overdosed in 2015. Fentanyl-related deaths continue to rise, mirroring a national trend. And although the opioid crisis may have taken a backseat to the COVID-19 crisis, make no mistake, now is not the time to make it easier for criminals to sell illicit drugs, profit from their illegal activity and find haven here in Minnesota.

We are also concerned with how this bill will hamper law enforcement's ability to prevent some of the state's most dangerous drivers from getting behind the wheel.

To be clear, our association and members support improving public awareness and understanding of the use of forfeiture proceeds, promoting consistent standards by which vehicles and cash are forfeited and ensuring reasonable and affordable legal remedies are available to those who have their vehicles or cash forfeited.

We also support several specific measures in this bill, including:

- A recidivism study to track efficacy of forfeiture and ignition interlock
- Additional protections for innocent owners of forfeited vehicles
- Reporting requirements for forfeited property and the use of revenue
- The ability for local law enforcement to utilize the federal sharing program

Our association took part in the forfeiture reform discussions that took place over the last several months. We are grateful for a seat at the table and want thank all of the individuals and organizations who were involved. The talks were productive and respectful. The Minnesota County Attorney's Association deserves special recognition for its leadership during the difficult negotiations.

We worked hard to find a compromise, a solution that balances the protection of people's personal rights yet still leverages forfeiture laws - laws that we believe help keep drug dealers out of our communities and drunken drivers off our roads.

In the end, we believe the bill, as written, dismantles the forfeiture process. It will result in the return of illegal proceeds – or instruments of crime – to convicted criminals. The proposed changes would make forfeitures so difficult to prove and so time-consuming and costly for law enforcement that forfeitures would diminish to near nothing.

If that is the ultimate intent of the bill, we predict success. However, we don't feel that outcome is in the best interest of public safety.

A handwritten signature in black ink, appearing to read "Andy Skoogman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Andy Skoogman/Executive Director
Minnesota Chiefs of Police Association