



## **Testimony on House Bill 7146**

Submitted by Suzanne Bates, Policy Director

March 2, 2017

Good morning Representative Lesser, Senator Winfield, Senator Martin, Representative Simanski, and distinguished members of the Banking Committee.

My name is Suzanne Bates. I am the policy director at the Yankee Institute for Public Policy, and I am here to testify in support of Committee Bill 7146, An Act Requiring a Criminal Conviction for Certain Offenses Before Assets Seized in a Lawful Arrest or Lawful Search May Be Forfeited in a Civil Proceeding.

I want to thank the committee for raising this important bill. It takes several positive steps forward toward ending civil asset forfeiture and replacing it with criminal forfeiture.

There is widespread agreement that criminal forfeiture is necessary. However, civil forfeiture circumvents this process. Let's create a bright line in Connecticut so that before property can be forfeited there should first be a criminal conviction. This is an important step that will make sure an individual's property rights are protected, as they should be.

While this bill in its current form takes steps toward replacing civil asset forfeiture with criminal forfeiture, it does not fully replace one with the other. I would ask that the bill be amended to make clear that civil asset forfeiture should be replaced with criminal forfeiture.

I would also ask that you make it easier for an individual or his or her family members to petition the court to have their property returned.

It is a positive step to redirect the proceeds from forfeiture to the General Fund.

Several other states are working on this issue, but this is an opportunity for Connecticut to once again take the lead on a criminal justice issue.

It is important to note that replacing civil forfeiture with criminal forfeiture would not change the work of the police. Instead it would change the way property is treated in the courts. In many cases in Connecticut an individual is going through criminal court while his or her property is going through civil court.

Finally, we are heartened to see there is a bipartisan coalition on this issue. We've worked closely with state partners as well as national groups like the Institute for Justice and the Reason Foundation. Thank you again for taking up this important issue.

We ask you to make some amendments, but ultimately pass this bill.