

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/press-releases/aclu-joins-call-reform-civil-asset-forfeiture>

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COLUMBUS The ACLU of Ohio announced its support for new legislation to reform policies that allow law enforcement to seize property from people accused, but not necessarily convicted, of crimes.

This legislation is long overdue and will provide a welcomed relief to the many Ohioans whose property is taken away from them, oftentimes without any recourse or hope of recouping lost assets, said senior policy director Mike Brickner.

Under the current system assets are taken from people sometimes without ever being charged with or convicted of a crime. The reforms proposed today would require that forfeitures must be processed through criminal proceedings and correctly places the burden of proof on the state, restoring due process and protecting the rights of innocent property owners.

Given the fundamental unfairness that already typifies our criminal justice system, it should be no surprise that the people who suffer the most under current laws are people of color and low-income Ohioans. Failed policies like the War on Drugs devastate communities of color through outdated laws and targeted policing. Civil asset forfeiture has also been a tool to perpetuate injustice on these same people.

Brickner also noted that the proposed legislation will place limits on sharing of seized assets between state and federal agencies. This reform will also help to rein in Ohio's overuse of federal equitable sharing laws that allow local law enforcement agencies to seize assets for their own profit. While federal legislative reform is still needed, this limitation will help to ensure that these laws are not used to prey on lower-income Ohioans with smaller assets.

The ACLU of Ohio supports this new legislation as part of Fix Forfeiture, a coalition of conservative and progressive groups dedicated to passing sweeping civil asset forfeiture reforms.

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