

A Michigan law provides for the forfeiture of property used as a public nuisance. Under this law, several years ago the Detroit police seized the car of a man named John Bennis who had used it to solicit a prostitute. The car was owned jointly by Mr. Bennis and his wife, Tina Bennis, who had no knowledge whatsoever of her husband's activity. As a result of losing the car, Mrs Bennis stated, she suffered substantial hardship, being deprived of her sole means of transportation, which she was unable to replace because of her impoverished economic circumstances. Mrs. Bennis sued the City of Detroit, insisting that as an innocent owner she had at least a right to compensation for her one half interest in the car, a 1977 Pontiac, which the Bennis's had bought for \$600 a few months before the incident which led to the forfeiture. In a 5-4 decision this year the United States Supreme Court upheld the Michigan law, rejecting Mrs. Bennis's argument.

In your opinion was Mrs. Bennis entitled to compensation for loss of the use of her car?
If so, why? If not, why not?

Questions for the IIT Ethics Bowl (October 19, 1996)