

## DCJS-999 Form

### The DCJS Form 999—Seized Property Sharing Disposition Form

The DCJS Form 999 is similar to the DCJS Form 998. This form notifies DCJS of the disposition of the forfeiture case and facilitates the return of all forfeited assets to the appropriate law enforcement agencies.

**DCJS Seizure Number:** List the DCJS Seizure number. This number is assigned by DCJS and is included in the acknowledgement form sent to seizing agency upon receipt of the Form 998.

- 1. Seizing Agency E-mail Address:** List the complete name of the seizing agency here; this should be the same as on the Form 998.
- 2. Seizing Agency Case Number:** List the law enforcement agency's case number.
- 3. Case Name:** List the name of the defendant (s) for this case.
- 4. Date of Court Disposition:** List the date of the forfeiture disposition. Note: This date could be different from the date the criminal charge against the drug dealer was adjudicated.
- 5. Disposition of Property Seized:** There are four choices listed here: Forfeiture; Dismissal; Release to Lien Holder; Release to Innocent Owner. Check the appropriate disposition and list any specific conditions ordered by the judge. For example, \$4,000.00 in U.S. Currency could have been seized, but the judge ordered that \$2,000.00 be forfeited and \$2,000.00 be returned to the owner. In this instance, you would check Forfeiture and Release to Innocent Owner and list in the Specify Conditions line that \$2,000.00 was forfeited and \$2,000.00 was returned to the owner.
- 6. Contact Officer:** List the name, title and phone number of the seizing agency's contact officer. The officer must then sign the form. This information is important because it give DCJS a contact in case there are any questions or problems regarding the forfeiture.
- 7. Joint Sharing Decisions:** List the names of all participating agencies and the percentage of proceeds to be forwarded to that jurisdiction. If the proceeds are to be shared by a task force, please attach a copy of the task force agreement if it is not already on file with DCJS.
- 8. Certification:** List the name and title of all law enforcement agency heads that are to share in the proceeds. The agency head must certify that the information that is listed on the Form 999 is true and accurate and that all proceeds will be used for law enforcement purposes only. He or she must then sign the form. If you have a sharing

agreement on file for a Task Force or for the Office of the Commonwealth's Attorney, then only the submitting agency needs to sign the DCJS-999 form.

- 9. Sale of Assets:** This section is to be completed upon the sale of an asset after it has been awarded back to an agency for "in-kind" use. All information requested should be completed and sent in with a copy of the bill of sale and check (if applicable).

### **Form 999 Supplement**

The 999 Supplement is provided to allow agencies to list all the costs they incurred in the management of the seized property. These costs can be deducted from the total amount sent to DCJS. For example, if a vehicle is seized, towed, stored, forfeited, and eventually sold, the seizing agency can deduct the costs of those actions from any proceeds sent to DCJS. *Only those costs incurred during the management of the seized property can be deducted. Costs incurred during the investigation and arrest of the property owner cannot be deducted.*

The Forfeited Asset Sharing Program does not allow for deductions for storage in the law enforcement agency's property or evidence rooms or departmental storage lots. The following example illustrates a typical entry on a Form 999 Supplement. In this example, the proceeds from the sale of the vehicle would be calculated by taking the sale price of the car (\$8,000) and deducting the total costs incurred (\$1375). A check for the amount of \$6,625 would then be sent to DCJS for disbursal.

DCJS will not be involved in the storage or management of the assets seized for forfeiture. Seizing agencies may need to set aside funds to compensate storage lots and other vendors until final disposition allows for the sale of the property. In cases where costs have been incurred on a seized item and the item was not forfeited, the agency can petition the Commonwealth's Criminal Fund for reimbursement. Seizing agencies can also petition the Criminal Fund in the case that the costs incurred were greater than the proceeds from the sale of the forfeited property.