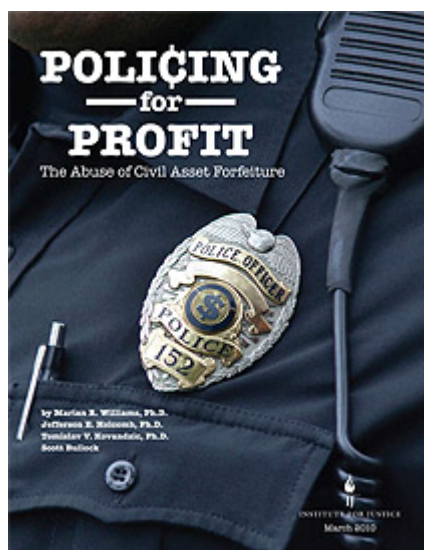


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RICO, The War on Drugs and Asset Forfeiture

Posted on [September 20, 2010](#) by [Kaye Beach](#) | [4 Comments](#)



Civil asset forfeiture is based upon the medieval doctrine that when property is involved in a crime, the property becomes “guilty,” and can be “arrested” and forfeited, regardless of the guilt or innocence of the property’s owners. Under civil asset forfeiture, property—not an individual—is charged with an offense. The modern power of civil asset forfeiture in the United States dates back to the Civil War, when the Supreme Court affirmed the civil seizure of rebel property. In 1921 civil forfeiture was extended to violations of alcohol prohibition. During the 1980s, forfeiture was extended to drug trafficking and possession, and a host of other crimes, through the Comprehensive Crime Control Act of 1984, the Drug Abuse Act of 1986, and other laws. The power of civil asset forfeiture is being extended to virtually all misdemeanors and felonies.

This article was written by Jarret B Wollstein back in 1993. It is a good history refresher and a good reminder for why we should be cautious about allowing our emotions or the appeal of a “good cause” to override good judgment when it comes to lawmaking. The foot in the door to asset forfeiture was the fight against organized crime (RICO) and War on Drugs.

Another good article on the subject written in 1991;

[Government Seizures Victimize Innocent](#)

Part One: The Overview

February 27, 1991.

And a recent report from the National Institute of Justice [“Policing for Profit”](#) with state by state law analysis 2010

THE GOVERNMENTS WAR ON PROPERTY

Jarret B. Wollstein

“A police dog scratched at your luggage, so we’re confiscating your life savings and you’ll never get it back.” In 1989, police stopped 49-year-old Ethel Hylton at Houston’s Hobby Airport and told her she was under arrest because a drug dog had scratched at her luggage. Agents searched her bags and strip-searched her, but they found no drugs. They did find \$39,110 in cash, money she had received from an insurance settlement and her life savings, accumulated by working as a hotel housekeeper and hospital janitor for more than 20 years. Ethel Hylton completely documented where she got the money and was never charged with a crime. The police kept her money anyway. Nearly four years later, she is still trying to get her money back.

Ethel Hylton is just one of a large and growing list of Americans now numbering in the hundreds of thousands—who have been victimized by civil asset forfeiture. Under civil forfeiture, everything you own can be legally taken away from you without indictment, trial, or conviction. Suspicion of offenses which, if proven, might result in a \$200 fine or probation, are being used to justify seizure of tens or hundreds of thousands of dollars’ worth of property. Thousands of innocent Americans are losing their cars, homes, bank accounts, and businesses, based upon the claims of unidentified “informants” that illegal transactions took place on their property. Here are a few examples:

Thirty-year-old Ken Brown owned and operated Chemco, a small pool and gardening chemical supply company in Albuquerque, New Mexico. A few months after he opened his doors in 1986, agents of the Drug Enforcement Administration (DEA) stopped by and told him to “get out of the chemical business.” A year later Ken found out why: His chief competitor in Albuquerque had an arrangement with the DEA, and neither the DEA nor the competitor wanted any competition. When Ken refused to close his doors in 1987, harassment from the DEA began and got steadily worse. First his UPS packages were opened and inspected. Then his deliveries were seized, his drivers were searched, and his suppliers were threatened. Next his house was searched by armed DEA agents. They found nothing. On November 19, 1991, the DEA arrested his manager and padlocked the doors to Chemco. The IRS was also brought in to investigate the company. The DEA charged Chemco with selling chemicals that *could be used* to manufacture drugs. On May 8, 1992, the DEA seized Ken Brown’s house and cars, and told him to sign an agreement to pay rent to the U.S. Marshals or “hit the street with my wife and eight-year-old son.” In May 1992 the DEA made Ken Brown an offer: “give us Chemco and we will give you all your personal belongings back.” Ken Brown refused and is still fighting.

Dr. Jonathan Wright operated the Takoma Medical Clinic in Kent, Washington. On May 6, 1992, nearly two dozen armed police and Food and Drug Administration (FDA) agents broke down his clinic’s door and pointed their weapons at him and his 15-person staff, mostly women. For the next 14 hours, the staff was held at gunpoint while the FDA ransacked the clinic. Neither Dr. Wright nor any of his employees was ever charged with a crime. That didn’t stop the police and FDA from seizing Dr. Wright’s books, laboratory equipment, supplies, patient records, reference books, and computers. The raid was part of a national FDA crackdown on nutritional therapists.

Willie Jones owned a small landscaping service in Nashville, Tennessee. When he paid cash for an airline ticket at Nashville Metro Airport on February 27, 1991, the ticket agent acted strangely, and said she would have to check in back what to do with the cash. The ticket agent returned and gave Mr. Jones his ticket. Ten minutes later, drug agents stopped and searched him. They found \$9,600 in cash, which Jones was going to use to buy plants for his business. Jones explained he pays in cash “because that’s the way the growers want it.” That didn’t stop the DEA from taking his money. Jones was not charged with any crime. But the government took all of his operating cash, and nearly put him out of business.

Legal rights and protections that Americans have cherished for hundreds of years have been increasingly violated during the last two decades. Most of what you learned in school about your legal rights and protections is no longer true. A combination of rising crime, the growing power of government, and increasing concern about drugs has done tremendous damage to the Bill of Rights and our heritage of liberty. Few Americans realize how grave and how ominous that damage has been. Today the government has the power legally to seize your bank account, your house, or your business, without trial, hearing, or indictment. Everything you have worked for and accumulated over a lifetime can now be taken away from you at the whim of authorities. Black or white, rich or poor, we are all potential victims. And unless the laws are changed, there is very little you can legally do to protect your property.

Civil Asset Forfeiture

The seeds of social disaster were planted in 1970 when Congress enacted the federal Racketeering and Corrupt Influence (RICO) statutes (greatly expanded in 1984). Although the rhetoric supporting RICO focused upon defeating “organized crime,” the actual “crimes” targeted by RICO were rather vague. To be cited under RICO, all a person or firm need be suspected of are two instances of mail, wire, or securities fraud. “Fraud” is so broadly defined by RICO that the law covers virtually any offense involving mail, telephone, or stocks. Far from being limited to going after organized crime, RICO is now invoked in minor business cases, landlord-tenant disputes, anti-abortion protests, and even divorce cases.

Two aspects of RICO make it a particularly grave threat to civil liberties and justice: First, RICO effectively extended the jurisdiction of the federal government to nearly every conceivable property offense committed by anyone, anywhere in the United States. Second, RICO undermined our entire system of justice by giving the government the power to freeze or seize *all* of an individual’s or company’s assets based upon mere *suspicion* that an offense had occurred. No business can survive if its assets are frozen. A business that can’t pay its bills and operating expenses is a bankrupt business. Because RICO sanctions are so potentially devastating, the guilt or innocence of a business under investigation by government agents becomes immaterial. The mere threat of RICO sanctions is sufficient to force even the largest company to plead guilty and make a deal.

RICO was only the first of many statutes passed in the last 20 years enabling government agencies to seize property without indictment, trial, or conviction for any offense. The war on drugs and fear over growing crime have given us hundreds of new state, federal, and local laws, vastly expanding the government’s power to seize and forfeit property. Because most new seizure laws are civil rather than criminal, the government does not even have to charge the owners of property with a crime before making seizures. Even if you are charged with a crime and acquitted, everything you own can still be seized and forfeited. When your

property is civilly forfeited, you have no right to a court-appointed attorney, no right to confront your accusers, no presumption of innocence, and no protection from double jeopardy. Even the Constitutional right to trial by jury is frequently denied in civil forfeiture cases.

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cops have to much power and the test is failed period one day judgment will be their and everyone they hurt will be at their court! Judgment is coming for these sick evil people just like it came for the Indians who chose to worship blood! Tick toc Angel clock Military are you protecting me no your all prograded and lost



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Those that stand in the way of others are all wrong love in the end will show them all who is boss hog even Satan the master of deception and lover of accusations It’s black wings are no match!
For the Imperial Omni potent Alpha Omega and no that is not me! It’s these sinners like George bush who stand in the way of progress that themselves will be judged for the Amoral
Unjust deception that they themselves commit because whatever they do to stop progression is their own question one day at their trial will be asked of them! JUDGMENT DAY



I am the old man cupboard Listen white is the color of day black is the color of night why do you think the feds wear that color along with cops because they worship the dark one not the thing with no name that sent it's son to teach us love!

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