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Missouri State Auditor

Compilation of 2012 Criminal Activity Forfeiture Act Seizures



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CITIZENS SUMMARY

Compilation of 2012 Criminal Activity Forfeiture Act Seizures

Compliance with Submitting Required Reports	For property seized during calendar year 2012, the State Auditor received 115 Criminal Activity Forfeiture Act (CAFA) reports (of the total possible 116 reports) from prosecuting attorneys and the Attorney General. The Gentry County Prosecuting Attorney did not submit a report to indicate if the county received any seizures or not. A report is required if the county received seizures, and Section 513.607.10, RSMo, states intentional or knowing failure to comply with any reporting requirements shall be a class A misdemeanor. Three counties, Bollinger, Maries, and Montgomery, submitted a CAFA seizure report to the State Auditor, but did not submit a report to the Department of Public Safety as is also required.
Disposition of Seizures Reported	Of the \$6,111,578 reported seized in 2012, the disposition was reported as follows: \$1,959,511 pending, \$311,430 returned, \$3,734,293 transferred to a federal agency, \$83,868 transferred to the state, \$20,186 disposition not reported, and \$2,290 "Other".
Compliance with Reporting Required Information	The 115 reports received reported 557 total cases. Some of the reports did not include all of the required information, such as date, time, and place of seizure, estimated value of property seized, criminal charges filed, and disposition of criminal actions.

Because of the nature of this compilation, no overall rating is provided.

American Recovery and Reinvestment Act (Federal Stimulus)	Not applicable.
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Compilation of 2012 Criminal Activity Forfeiture Act Seizures

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THOMAS A. SCHWEICH

Missouri State Auditor

Honorable Jeremiah W. (Jay) Nixon, Governor
and
Members of the General Assembly
Jefferson City, Missouri

As required by Section 513.607, RSMo, we have compiled the 2012 Criminal Activity Forfeiture Act (CAFA) seizure reports submitted to the State Auditor by prosecuting attorneys and the Attorney General. The compilation is limited to presenting information that is submitted. We have not audited the reports submitted and, accordingly, do not express an opinion or any other form of assurance on them. The primary objectives of this compilation were to:

1. Compile the 2012 CAFA seizure information reported.
2. Identify those officials who submitted 2012 CAFA seizure reports to the State Auditor.

Section 513.607, RSMo, requires prosecuting attorneys and the Attorney General to report CAFA seizures for the previous calendar year by January 31, to both the Director of the Department of Public Safety and the State Auditor. Of the 116 potential reporting entities, we received 115 CAFA seizure reports; 114 of these reports were submitted by the required due date of January 31, 2013.

Compliance with Section 513.653, RSMo, which requires law enforcement agencies involved in using the federal forfeiture system to submit reports regarding federal seizures and the proceeds therefrom to both the Department of Public Safety and the State Auditor's office, will be separately reported.

Thomas A. Schweich
State Auditor

The following auditors participated in the preparation of this report:

Deputy State Auditor:	Harry J. Otto, CPA
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Compilation of 2012 Criminal Activity Forfeiture Act Seizures

Executive Summary

Compliance with Submitting CAFA Seizure Reports

The State Auditor received 115 of the total possible 116 CAFA seizure reports from prosecuting attorneys and the Attorney General for property seized during calendar year 2012. All but one of the 115 reports were received by the January 31, 2013, deadline. The following table lists the total number of CAFA seizure reports submitted to the State Auditor for 2012, 2011, and 2010.

Reporting Status	2012		2011 ¹		2010 ¹	
By January 31	114	98.2 %	95	81.9 %	104	89.6 %
After January 31	1	0.9	19	16.4	9	7.8
Total Reported	115	99.1	114	98.3	113	97.4
Did Not Report	1	0.9	2	1.7	3	2.6
Total Possible Reports	116	100.0 %	116	100.0 %	116	100.0 %

¹ Includes CAFA seizure reports submitted by prosecuting attorneys to the State Auditor after the annual reports were issued.

Prosecutors that Did Not Submit 2012 CAFA Seizure Reports

The Gentry County Prosecuting Attorney did not submit a 2012 CAFA seizure report to indicate if the county received any seizures or not. If the county received seizures a report is required. Section 513.607.10, RSMo, states intentional or knowing failure to comply with any reporting requirement shall be a class A misdemeanor punishable by a fine of up to \$1,000. Although a 2012 seizure report was not received from this county, it is unknown if a report was required.

In addition, we contacted the Missouri Department of Public Safety (DPS) to determine CAFA Seizure reports received by the DPS. We determined three counties (Bollinger, Maries, and Montgomery) submitted the required copy of the CAFA Seizure Report to the State Auditor, but did not submit a report to the DPS.



Compilation of 2012 Criminal Activity Forfeiture Act Seizures Executive Summary

Disposition of the Seizures Reported

The following table lists the dollar value of the disposition of seizures reported.

Reported Disposition ¹	2012		2011		2010	
Pending	\$ 1,959,511	32 %	\$ 1,410,410	21 %	\$ 985,482	17 %
Returned	311,430	5	391,258	6	291,638	5
Transferred to Federal Agency	3,734,293	62	4,707,994	71	4,255,770	74
Transferred to State	83,868	1	158,589	2	25,974	1
Disposition Not Reported	20,186	0	0	0	5,430	0
Other	2,290	0	14,808	0	152,129	3
Total	\$ 6,111,578	100 %	\$ 6,683,059	100 %	\$ 5,716,423	100 %

¹ The disposition of the CAFA seizures reported was compiled from the reports submitted by the prosecuting attorneys and the Attorney General.

See Appendix I for a list of the 2012 CAFA seizures disposition reported by each prosecuting attorney and the Attorney General.

Compliance with Reporting the Required Information

Section 513.607.8, RSMo, requires prosecuting attorneys and the Attorney General to report the date, time, and place of the seizure; property seized; estimated value of the property seized; person(s) from whom the property was seized; criminal charges filed; and disposition of the seizure, forfeiture, and criminal actions. For the 557 cases reported in the CAFA seizure reports received, the following table lists the required information and the number of cases that reported each required item. Some reports did not include all of the required information; therefore, our compilation includes only the information reported.

Required Information	2012		2011		2010	
Date	555	99.6 %	510	100.0 %	465	99.6 %
Time	432	77.6	395	77.5	316	67.7
Place of Seizure	554	99.5	508	99.6	461	98.7
Property Seized	557	100.0	506	99.2	467	100.0
Estimated Value of Property Seized	535	96.1	493	96.7	440	94.2
Person(s) Property Seized From	557	100.0	510	100.0	467	100.0
Criminal Charges Filed	329	59.1	266	52.2	233	49.9
Disposition of Seizure	557	100.0	510	100.0	467	100.0
Disposition of Criminal Actions	424	76.1	412	80.8	371	79.4
Total Cases Reported	557	100.0 %	510	100.0 %	467	100.0 %

See Appendix II for a list of the number of 2012 CAFA seizure cases that contained the required information reported for each prosecuting attorney and the Attorney General.

Appendix I
2012 CAFA Seizures Disposition Reported

Reporting Entity	Estimated ¹ Value of all Cases Reported	Status Reported as of December 31, 2012					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Not Reported	Other
Adair	\$ 0						
Andrew	0						
Atchison	0						
Attorney General	0						
Audrain	33,178	32,830			348		
Barry	18,241	8,517	6,636		3,088		
Barton	0						
Bates	0						
Benton	0						
Bollinger	5,000			5,000			
Boone	96,091	21,400	845	71,829		2,017	
Buchanan	14,557	11,492			3,065		
Butler	13,900			13,900			
Caldwell	0						
Callaway	14,694	13,424	1,270				
Camden	97,689	96,289			1,400		
Cape Girardeau	28,566	12,304	5,382	10,880			
Carroll	0						
Carter	37,510	37,510					
Cass	8,525	8,525					
Cedar	0						
Chariton	0						
Christian	40,047	32,818		5,933	1,296		
Clark	13,846	13,846					
Clay	12,136	12,136					
Clinton	4,111	4,111					
Cole	46,200	29,153	10,171	5,054	1,822		
Cooper	7,141	7,141					
Crawford	84,893	84,893					
Dade	0						
Dallas	0						
Daviess	0						
DeKalb	0						
Dent	5,040	5,040					
Douglas	0						
Dunklin	1,776	1,776					
Franklin	31,496	12,070	1	19,425			
Gasconade	15,064	15,064					
Gentry	DNF						
Greene	17,457	7,657		9,800			
Grundy	0						
Harrison	1,670	1,670					
Henry	0						
Hickory	0						
Holt	0						
Howard	0						
Howell	41,071			20,749	20,322		

Appendix I

2012 CAFA Seizures Disposition Reported

Reporting Entity	Estimated ¹ Value of all Cases Reported	Status Reported as of December 31, 2012					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Not Reported	Other
Iron	0						
Jackson	549,701	509,687	25,536		14,478		
Jasper	29,568	27,307	2,261				
Jefferson	36,851	18,650	7,316		10,885		
Johnson	1,047	1,047					
Knox	0						
Laclede	333,593	3,813		329,780			
Lafayette	17,627	17,627					
Lawrence	0						
Lewis	0						
Lincoln	5,911	5,911					
Linn	1,120	1,120					
Livingston	0						
Macon	0						
Madison	0						
Maries	2,850	2,850					
Marion	0						
McDonald	2,864	640	2,224				
Mercer	0						
Miller	6,000	6,000					
Mississippi	3,520	3,520					
Moniteau	58,812	58,500			312		
Monroe	0						
Montgomery	900		900				
Morgan	111,748	111,748					
New Madrid	49,631		6,517	33,114	10,000		
Newton	52,023	48,913	3,110				
Nodaway	0						
Oregon	3,650	3,650					
Osage	0						
Ozark	0						
Pemiscot	0						
Perry	0						
Pettis	3,747	3,063			684		
Phelps	2,081,001	11,478	35,480	2,034,043			
Pike	5,646	5,646					
Platte	23,298	13,660	2,045		7,593		
Polk	0						
Pulaski	250,734	150,734		100,000			
Putnam	0						
Ralls	0						
Randolph	16,412					16,412	
Ray	1,612	1,612					
Reynolds	0						
Ripley	40,287		35,335	4,952			
Saline	1,131	1,131					
Schuyler	0						

Appendix I

2012 CAFA Seizures Disposition Reported

Reporting Entity	Estimated ¹ Value of all Cases Reported	Status Reported as of December 31, 2012					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Not Reported	Other
Scotland	0						
Scott	7,168	7,168					
Shannon	0						
Shelby	0						
St. Charles	1,038,523	105,463	53,647	879,413			
St. Clair	34,000	34,000					
St. Francois	2,960	2,960					
St. Louis County	217,149	211,810	1,292			1,757	2,290
St. Louis City	227,611	99,770	111,462	7,804	8,575		
Ste. Genevieve	0						
Stoddard	0						
Stone	834	834					
Sullivan	0						
Taney	7,658	7,658					
Texas	0						
Vernon	187	187					
Warren	4,744	4,744					
Washington	0						
Wayne	0						
Webster	6,944	6,944					
Worth	0						
Wright	182,617			182,617			
	\$ 6,111,578	1,959,511	311,430	3,734,293	83,868	20,186	2,290

¹ DNF - Did not file a 2012 CAFA seizure report with the State Auditor's Office.

This appendix compiles only the information reported to the State Auditor by prosecuting attorneys and the Attorney General. We did not verify this data. In analyzing this appendix, some disparity may result due to different methods used by the various prosecuting attorneys and the Attorney General in presenting essentially the same information. In addition, not all seizure reports included an estimated value of the property seized.

Appendix II

2012 CAFA Seizures Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated ¹ Value of Cases Reported	Number of Cases that Reported Required Information								
			Date	Time	Place Seized	Property Seized	Property Seized	Person(s) Seized From	Criminal Charges Filed	Disposition	
										Seizure	Criminal Actions
Adair	0	\$ 0									
Andrew	0	0									
Atchison	0	0									
Attorney General	0	0									
Audrain	6	33,178	6	6	6	6	5	6	6	6	1
Barry	5	18,241	5		5	5	5	5	5	5	5
Barton	0	0									
Bates	0	0									
Benton	0	0									
Bollinger	1	5,000	1		1	1	1	1		1	1
Boone	16	96,091	16		16	16	13	16	13	16	16
Buchanan	8	14,557	8	8	8	8	8	8	8	8	3
Butler	1	13,900	1	1	1	1	1	1		1	1
Caldwell	0	0									
Callaway	5	14,694	5	4	5	5	5	5	5	5	5
Camden	8	97,689	8	7	8	8	8	8	6	8	1
Cape Girardeau	4	28,566	4		4	4	4	4	4	4	4
Carroll	0	0									
Carter	1	37,510	1	1	1	1	1	1	1	1	1
Cass	3	8,525	3	3	3	3	3	3	1	3	3
Cedar	0	0									
Chariton	0	0									
Christian	13	40,047	13	5	13	13	13	13	12	13	3
Clark	1	13,846	1	1	1	1	1	1	1	1	1
Clay	4	12,136	4	3	4	4	4	4	1	4	
Clinton	1	4,111	1	1	1	1	1	1	1	1	1
Cole	22	46,200	22	22	22	22	21	22	21	22	21
Cooper	3	7,141	3	3	3	3	3	3	3	3	3
Crawford	2	84,893	2		2	2	2	2	2	2	2
Dade	1	0	1	1	1	1		1	1	1	1
Dallas	0	0									
Daviess	0	0									
DeKalb	0	0									
Dent	3	5,040	3	3	3	3	3	3	3	3	3
Douglas	0	0									
Dunklin	1	1,776	1	1	1	1	1	1	1	1	1
Franklin	15	31,496	15	7	15	15	15	15	15	15	4
Gasconade	1	15,064	1		1	1	1	1		1	1
Gentry	DNF	DNF									
Greene	5	17,457	5		5	5	2	5		5	
Grundy	0	0									
Harrison	1	1,670	1		1	1	1	1	1	1	1
Henry	1	0	1	1	1	1		1	1	1	1
Hickory	0	0									
Holt	0	0									

Appendix II

2012 CAFA Seizures Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated ¹ Value of Cases Reported	Number of Cases that Reported Required Information								
			Date	Time	Place Seized	Property Seized	Estimated Value of Property Seized	Person(s) Seized From	Criminal Charges Filed	Disposition	
										Seizure	Criminal Actions
Howard	0	0									
Howell	5	41,071	5	5	5	5	5	5	4	5	5
Iron	0	0									
Jackson	59	549,701	59	56	59	59	59	59	21	59	58
Jasper	10	29,568	10		10	10	8	10	10	10	10
Jefferson	18	36,851	18	15	18	18	18	18	13	18	2
Johnson	1	1,047	1	1	1	1	1	1	1	1	1
Knox	0	0									
Laclede	5	333,593	5	5	5	5	5	5	4	5	4
Lafayette	6	17,627	6	6	6	6	6	6	6	6	6
Lawrence	0	0									
Lewis	0	0									
Lincoln	2	5,911	2	2	2	2	2	2	2	2	2
Linn	1	1,120	1	1	1	1	1	1	1	1	1
Livingston	0	0									
Macon	0	0									
Madison	0	0									
Maries	2	2,850	2	2	2	2	2	2	2	2	2
Marion	0	0									
McDonald	5	2,864	5	5	5	5	5	5	4	5	4
Mercer	0	0									
Miller	1	6,000	1	1	1	1	1	1	1	1	1
Mississippi	2	3,520	2		2	2	1	2	2	2	2
Moniteau	5	58,812	5	5	5	5	5	5	5	5	5
Monroe	0	0									
Montgomery	1	900	1	1	1	1	1	1	1	1	1
Morgan	3	111,748	3	2	3	3	3	3	3	3	3
New Madrid	5	49,631	5		5	5	5	5	5	5	5
Newton	9	52,023	9	1	9	9	9	9	8	9	8
Nodaway	0	0									
Oregon	2	3,650	2	2	2	2	2	2	2	2	2
Osage	0	0									
Ozark	1	0	1		1	1		1	1	1	1
Pemiscot	0	0									
Perry	0	0									
Pettis	4	3,747	4		4	4	4	4	4	4	4
Phelps	10	2,081,001	10	10	10	10	9	10	8	10	10
Pike	2	5,646	2	1	2	2	2	2	2	2	2
Platte	6	23,298	6	6	6	6	6	6	5	6	6
Polk	0	0									
Pulaski	4	250,734	4	4	4	4	4	4	3	4	4
Putnam	0	0									
Ralls	0	0									
Randolph	18	16,412	17	1	15	18	18	18	14	18	15
Ray	2	1,612	2	2	2	2	2	2	2	2	2

Appendix II

2012 CAFA Seizures Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated ¹ Value of Cases Reported	Number of Cases that Reported Required Information								
			Date	Time	Place Seized	Property Seized	Estimated Value of Property Seized	Person(s) Seized From	Criminal Charges Filed	Disposition	
										Seizure	Criminal Actions
Reynolds	0	0									
Ripley	4	40,287	4	3	4	4	4	4	3	4	4
Saline	1	1,131	1	1	1	1	1	1	1	1	1
Schuyler	0	0									
Scotland	0	0									
Scott	4	7,168	4	4	4	4	4	4	4	4	4
Shannon	0	0									
Shelby	0	0									
St. Charles	49	1,038,523	49	48	49	49	49	49	13	49	22
St. Clair	2	34,000	2		2	2	1	2	2	2	2
St. Francois	2	2,960	2		2	2	2	2	1	2	2
St. Louis City	69	227,611	69	69	69	69	69	69	37	69	37
St. Louis County	88	217,149	88	88	88	88	84	88	7	88	86
Ste. Genevieve	1	0			1	1		1	1	1	1
Stoddard	0	0									
Stone	1	834	1	1	1	1	1	1	1	1	1
Sullivan	0	0									
Taney	8	7,658	8		8	8	7	8	8	8	8
Texas	0	0									
Vernon	1	187	1		1	1	1	1	1	1	1
Warren	3	4,744	3	3	3	3	3	3	2	3	2
Washington	0	0									
Wayne	0	0									
Webster	2	6,944	2	2	2	2	2	2	1	2	2
Worth	0	0									
Wright	1	182,617	1	1	1	1	1	1	1	1	1
	557	\$ 6,111,578	555	432	554	557	535	557	329	557	424

¹ DNF - Did not file a 2012 CAFA seizure report with the State Auditor's Office.

This appendix compiles the total number of 2012 CAFA seizure cases, the total estimated value of cases reported, and the number of cases that reported the required information by each prosecuting attorney and the Attorney General. We did not verify this data. In analyzing this appendix, some disparity may result due to different methods used by the various prosecuting attorneys and the Attorney General in presenting essentially the same information. In addition, not all seizure reports included an estimated value of property seized.