



Thomas A. Schweich

Missouri State Auditor

Compilation of 2013 Criminal Activity Forfeiture Act Seizures



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CITIZENS SUMMARY

Compilation of 2013 Criminal Activity Forfeiture Act Seizures

Compliance with Submitting Required Reports	For property seized during calendar year 2013, the State Auditor received all of the total possible 116 Criminal Activity Forfeiture Act (CAFA) reports from prosecuting attorneys and the Attorney General. All but two counties, Carroll and Cedar, submitted the required copy of the CAFA report to the State Auditor by the January 31, 2014, deadline, although Carroll County did timely submit its report to the Department of Public Safety (DPS). Five counties submitted the required copy of the report to the State Auditor but did not submit a copy of the report to the DPS as is also required.
Disposition of Seizures Reported	Of the \$4,615,518 reported seized in 2013, the disposition was reported as follows: \$1,776,653 pending, \$384,568 returned, \$2,300,764 transferred to a federal agency, \$116,220 transferred to the state, \$2,513 other, and \$34,800 disposition not reported.
Compliance with Reporting Required Information	The 116 reports received reported 615 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.

Compilation of 2013 Criminal Activity Forfeiture Act Seizures

Table of Contents

State Auditor's Report	2
------------------------	---

Executive Summary	3
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Appendixes

Appendix

I. 2013 CAFA Seizures Disposition Reported.....	6
II. 2013 CAFA Seizures Required Information Reported.....	9



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 2013 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 2013 CAFA seizure information reported.
2. Identify those officials who submitted 2013 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 116 CAFA seizure reports; 114 of these reports were submitted by the required due date of January 31, 2014.

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
Director of Audits: Regina Pruitt, CPA
In-Charge Auditor: Becky Webb, CPA, CFE
Audit Staff: Dana Wansing, MPA

Compilation of 2013 Criminal Activity Forfeiture Act Seizures

Executive Summary

Compliance with Submitting CAFA Seizure Reports

The State Auditor received all of the total possible 116 CAFA seizure reports from prosecuting attorneys and the Attorney General for property seized during calendar year 2013. All but two of the 116 reports were received by the January 31, 2014, deadline. The following table lists the total number of CAFA seizure reports submitted to the State Auditor for 2013, 2012, and 2011.

Reporting Status	2013		2012 ¹		2011 ¹	
By January 31	114	98.3 %	114	98.3 %	95	81.9
After January 31	2	1.7	2	1.7	19	16.4
Total Reported	116	100.0	116	100.0	114	98.3
Did Not Report	0	0.0	0	0.0	2	1.7
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 compilation reports were issued.

Two counties (Carroll and Cedar) submitted the required copy of the CAFA seizure report to the State Auditor after the reporting deadline. The Carroll County report was submitted to the Missouri Department of Public Safety (DPS) prior to the deadline, but was not received by the State Auditor until after the deadline. Both agencies received the Cedar County report after the deadline.

In addition, we contacted the DPS to determine CAFA seizure reports received by the DPS. We determined five counties (Caldwell, Christian, Crawford, Dunklin and Howard) submitted the required copy of the CAFA seizure report to the State Auditor, but did not submit a report to the DPS.

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.



Compilation of 2013 Criminal Activity Forfeiture Act Seizures Executive Summary

Disposition of the Seizures Reported

We compiled the disposition of all seizures as reported by prosecuting attorneys and the Attorney General for property seized during calendar year 2013. The following table lists the overall dollar value of the dispositions by category as reported to the State Auditor for 2013, 2012, and 2011.

Reported Disposition	2013		2012 ¹		2011 ¹	
Pending	\$ 1,776,653	38 %	\$ 1,982,551	32 %	\$ 1,410,410	21 %
Returned	384,568	8	311,430	5	391,258	6
Transferred to Federal Agency	2,300,764	50	3,734,293	62	4,707,994	70
Transferred to State	116,220	3	83,868	1	158,589	3
Other	2,513	0	2,290	0	14,808	0
Disposition Not Reported	34,800	1	20,186	0	0	0
Total	\$ 4,615,518	100 %	\$ 6,134,618	100 %	\$ 6,683,059	100 %

¹ Includes CAFA seizure reports submitted by prosecuting attorneys to the State Auditor after the annual compilation reports were issued. Reports of 2011 seizures that were received after the annual compilation report was issued did not include the dollar value of seizures; therefore, the 2011 information in this table did not change.

See Appendix I for a list of the 2013 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 615 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.



Compilation of 2013 Criminal Activity Forfeiture Act Seizures Executive Summary

Required Information	2013		2012 ¹		2011 ¹	
Date	614	99.8 %	556	99.6 %	510	100.0 %
Time	472	76.7	433	77.6	395	77.5
Place of Seizure	614	99.8	555	99.5	508	99.6
Property Seized	615	100.0	558	100.0	506	99.2
Estimated Value of Property Seized	604	98.2	536	96.1	493	96.7
Person(s) Property Seized From	615	100.0	558	100.0	510	100.0
Criminal Charges Filed	357	58.0	330	59.1	266	52.2
Disposition of Seizure	615	100.0	558	100.0	510	100.0
Disposition of Criminal Actions	498	81.0	425	76.2	412	80.8
Total Cases Reported	615	100.0 %	558	100.0 %	510	100.0 %

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

See Appendix II for a list of the number of 2013 CAFA seizure cases that contained the required information reported for each prosecuting attorney and the Attorney General.

Appendix I

2013 CAFA Seizures Disposition Reported

Reporting Entity	Estimated Value of Cases Reported	Status Reported as of December 31, 2013					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Other	Not Reported
Adair	\$ 0						
Andrew	0						
Atchison	0						
Attorney General	0						
Audrain	4,648	4,648					
Barry	0						
Barton	0						
Bates	0						
Benton	35,054	35,054					
Bollinger	0						
Boone	150,438	51,178	1,520	82,149	791		14,800
Buchanan	31,384	24,631			6,753		
Butler	3,655		3,655				
Caldwell	0						
Callaway	23,443	18,543	4,900				
Camden	92,674	92,674					
Cape Girardeau	0						
Carroll	259	259					
Carter	0						
Cass	1,649	1,649					
Cedar	15,206	15,206					
Chariton	0						
Christian	14,471	14,158				313 **	
Clark	0						
Clay	34,145	34,145					
Clinton	0						
Cole	54,208	32,814	3,753	7,109	10,532		
Cooper	3,130	2,761			369		
Crawford	21,797 *	12,297	9,500				
Dade	0						
Dallas	0						
Daviess	1,169	1,169					
DeKalb	0						
Dent	0						
Douglas	0						
Dunklin	3,200						3,200
Franklin	23,559	21,872	1,687				
Gasconade	356	356					
Gentry	0						
Greene	34,139	13,536		6,208	14,395		
Grundy	8,428	8,428					
Harrison	4,502	4,224			278		
Henry	0						
Hickory	0						
Holt	0						
Howard	0						
Howell	76,773	9,973		66,800			

Appendix I

2013 CAFA Seizures Disposition Reported

Reporting Entity	Estimated Value of Cases Reported	Status Reported as of December 31, 2013					Not Reported
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Other	
Iron	11,100 *			11,100			
Jackson	529,751	492,543	35,342	1,866			
Jasper	11,927	8,840	3,087				
Jefferson	20,006	13,460	6,546				
Johnson	15,130	15,130					
Knox	0						
Laclede	800	800					
Lafayette	4,670	3,299			1,371		
Lawrence	0						
Lewis	0						
Lincoln	16,854	14,708	437		1,709		
Linn	0						
Livingston	0						
Macon	2,630	2,630					
Madison	0						
Maries	0						
Marion	0						
McDonald	19,544	19,544					
Mercer	15,000 *						15,000
Miller	2,453	2,453					
Mississippi	7,316	2,116		5,200			
Moniteau	2,993	2,993					
Monroe	0						
Montgomery	15,000	15,000					
Morgan	0						
New Madrid	32,892		420	20,406	12,066		
Newton	41,426	41,426					
Nodaway	0						
Oregon	3,015	3,015					
Osage	4,110		1,910			2,200 ***	
Ozark	25,000				25,000		
Pemiscot	0						
Perry	0						
Pettis	36,475	13,483		18,572	4,420		
Phelps	1,148,746	36,483	2,003	1,110,260			
Pike	970				970		
Platte	20,010	19,574	436				
Polk	0						
Pulaski	0						
Putnam	48,761	48,761					
Ralls	23,805		11,426	12,379			
Randolph	19,853	18,936					917
Ray	7,455	7,455					
Reynolds	0						
Ripley	4,499			4,499			
Saline	10,591	10,591					
Schuyler	0						

Appendix I

2013 CAFA Seizures Disposition Reported

Reporting Entity	Estimated Value of Cases Reported	Status Reported as of December 31, 2013					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Other	Not Reported
Scotland	0						
Scott	37,895	37,895					
Shannon	0						
Shelby	0						
St. Charles	901,740	27,896	8,609	865,235			
St. Clair	0						
St. Francois	2,154	1,271					883
St. Louis City	558,136	283,630	250,758		23,748		
St. Louis County	299,365	210,096	36,113	53,156			
Ste. Genevieve	0						
Stoddard	33,264	8,023		25,241			
Stone	6,903	2,323			4,580		
Sullivan	0						
Taney	20,852	10,268		10,584			
Texas	0						
Vernon	0						
Warren	2,436	2,436					
Washington	0						
Wayne	0						
Webster	1,022				1,022		
Worth	0						
Wright	10,682		2,466		8,216		
	<u>\$ 4,615,518</u>	<u>1,776,653</u>	<u>384,568</u>	<u>2,300,764</u>	<u>116,220</u>	<u>2,513</u>	<u>34,800</u>

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.

- * One case reported listed a dollar range for the estimated value of property seized. We used the higher value for this report.
- ** The prosecuting attorney refused the case, but the sheriff has not returned the seizure.
- *** A seizure was reported as turned over to the county treasurer for distribution to schools.

Appendix II

2013 CAFA Seizures Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated 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
Adair	0	\$ 0									
Andrew	0	0									
Atchison	0	0									
Attorney General	0	0									
Audrain	3	4,648	3	3	3	3	3	3	3	3	3
Barry	0	0									
Barton	0	0									
Bates	0	0									
Benton	1	35,054	1	1	1	1	1	1	1	1	0
Bollinger	0	0									
Boone	22	150,438	22	0	22	22	22	22	19	22	22
Buchanan	5	31,384	5	5	5	5	5	5	5	5	2
Butler	1	3,655	1	0	1	1	1	1	1	1	1
Caldwell	0	0									
Callaway	5	23,443	5	5	5	5	5	5	4	5	5
Camden	8	92,674	8	8	8	8	8	8	8	8	8
Cape Girardeau	0	0									
Carroll	1	259	1	0	1	1	1	1	1	1	1
Carter	0	0									
Cass	1	1,649	1	1	1	1	1	1	0	1	1
Cedar	4	15,206	4	2	4	4	4	4	3	4	4
Chariton	0	0									
Christian	11	14,471	11	10	11	11	11	11	9	11	10
Clark	0	0									
Clay	7	34,145	7	7	7	7	7	7	3	7	3
Clinton	0	0									
Cole	23	54,208	23	23	23	23	23	23	21	23	23
Cooper	6	3,130	6	6	6	6	6	6	6	6	6
Crawford	5	21,797	5	3	5	5	4	5	5	5	5
Dade	0	0									
Dallas	0	0									
Daviess	1	1,169	1	1	1	1	1	1	1	1	1
DeKalb	0	0									
Dent	0	0									
Douglas	0	0									
Dunklin	1	3,200	1	1	1	1	1	1	1	1	1
Franklin	20	23,559	20	16	20	20	20	20	17	20	5
Gasconade	2	356	2	0	2	2	1	2	2	2	2
Gentry	0	0									
Greene	4	34,139	3	0	4	4	4	4	1	4	0
Grundy	1	8,428	1	1	1	1	1	1	1	1	1
Harrison	3	4,502	3	1	3	3	3	3	3	3	3
Henry	1	0	1	1	1	1	0	1	1	1	1
Hickory	0	0									
Holt	0	0									
Howard	0	0									

Appendix II

2013 CAFA Seizures Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated Value of Cases Reported	Number of Cases that Reported Required Information								
			Date	Time	Place Seized	Property Seized	Estimated Value of Property Seized	Person(s) Property Seized From	Criminal Charges Filed	Disposition	
										Seizure	Criminal Actions
Howell	6	76,773	6	6	6	6	6	6	6	6	6
Iron	1	11,100	1	1	1	1	0	1	1	1	1
Jackson	89	529,751	89	71	89	89	88	89	11	89	89
Jasper	6	11,927	6	0	6	6	6	6	6	6	6
Jefferson	17	20,006	17	17	17	17	17	17	5	17	0
Johnson	3	15,130	3	3	3	3	3	3	0	3	0
Knox	0	0									
Laclede	1	800	1	1	1	1	1	1	1	1	1
Lafayette	4	4,670	4	4	4	4	4	4	4	4	4
Lawrence	0	0									
Lewis	0	0									
Lincoln	7	16,854	7	0	7	7	7	7	7	7	2
Linn	0	0									
Livingston	0	0									
Macon	1	2,630	1	1	1	1	1	1	1	1	1
Madison	0	0									
Maries	0	0									
Marion	0	0									
McDonald	5	19,544	5	5	5	5	5	5	5	5	5
Mercer	1	15,000	1	0	0	1	1	1	1	1	1
Miller	1	2,453	1	1	1	1	1	1	1	1	1
Mississippi	3	7,316	3	3	3	3	3	3	3	3	3
Moniteau	3	2,993	3	3	3	3	2	3	3	3	3
Monroe	0	0									
Montgomery	1	15,000	1	1	1	1	1	1	1	1	1
Morgan	0	0									
New Madrid	4	32,892	4	0	4	4	4	4	4	4	4
Newton	8	41,426	8	0	8	8	8	8	8	8	8
Nodaway	0	0									
Oregon	3	3,015	3	3	3	3	3	3	3	3	3
Osage	2	4,110	2	2	2	2	2	2	2	2	2
Ozark	1	25,000	1	0	1	1	1	1	1	1	1
Pemiscot	0	0									
Perry	0	0									
Pettis	5	36,475	5	0	5	5	5	5	4	5	5
Phelps	14	1,148,746	14	14	14	14	14	14	2	14	3
Pike	1	970	1	1	1	1	1	1	1	1	1
Platte	13	20,010	13	13	13	13	13	13	12	13	13
Polk	0	0									
Pulaski	0	0									
Putnam	1	48,761	1	0	1	1	1	1	1	1	1
Ralls	1	23,805	1	1	1	1	1	1	1	1	1
Randolph	19	19,853	19	0	19	19	18	19	19	19	19
Ray	4	7,455	4	1	4	4	3	4	3	4	3
Reynolds	0	0									
Ripley	1	4,499	1	0	1	1	1	1	1	1	1

Appendix II

2013 CAFA Seizures Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated 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
Saline	4	10,591	4	4	4	4	3	4	4	4	4
Schuyler	0	0									
Scotland	0	0									
Scott	10	37,895	10	10	10	10	10	10	10	10	10
Shannon	0	0									
Shelby	0	0									
St. Charles	35	901,740	35	35	35	35	35	35	6	35	6
St. Clair	2	0	2	0	2	2	0	2	2	2	2
St. Francois	2	2,154	2	0	2	2	2	2	2	2	2
St. Louis City	76	558,136	76	72	76	76	76	76	53	76	53
St. Louis County	98	299,365	98	98	98	98	98	98	23	98	98
Ste. Genevieve	0	0									
Stoddard	3	33,264	3	2	3	3	3	3	3	3	3
Stone	2	6,903	2	0	2	2	2	2	2	2	2
Sullivan	0	0									
Taney	14	20,852	14	0	14	14	14	14	11	14	14
Texas	0	0									
Vernon	0	0									
Warren	3	2,436	3	3	3	3	3	3	3	3	3
Washington	0	0									
Wayne	0	0									
Webster	2	1,022	2	0	2	2	2	2	2	2	2
Worth	0	0									
Wright	2	10,682	2	1	2	2	2	2	2	2	2
	615	\$ 4,615,518	614	472	614	615	604	615	357	615	498

This appendix compiles the total number of 2013 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.