



Nicole Galloway, CPA
Missouri State Auditor

Compilation of 2015 Criminal Activity Forfeiture Act Seizures



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Nicole Galloway, CPA
Missouri State Auditor

CITIZENS SUMMARY

Compilation of 2015 Criminal Activity Forfeiture Act Seizures

Background	State law requires prosecuting attorneys and the attorney general to report seizures made under the Criminal Activity Forfeiture Act (CAFA) to the State Auditor and Director of the Department of Public Safety. Of the 116 potential reporting officials, the State Auditor's Office received 115 CAFA seizure reports; 110 of the reports were submitted by the required due date of January 31, 2016.
Compliance with Submitting Seizure Reports	For 2015, only one potential reporting official did not submit a report, and 110 of 115 reports were submitted by the January 31, 2016, deadline. The Ray County and Shannon County prosecuting attorneys reported their counties' seizures after the deadline. Prosecuting attorneys from three counties - Butler, Chariton, and Webster - reported after the deadline that they had no seizures. St. Clair County did not submit a report to indicate if it received any seizures. State law requires that a report be filed if seizures are received, and intentional or knowing failure to comply with reporting requirements constitutes a class A misdemeanor.
Disposition of Seizures Reported	The overall dollar value for property seized in 2015 was \$6,003,034. Of that total, \$416,612 was returned, \$3,167,512 was transferred to a federal agency, and \$62,733 was transferred to the state. The disposition for \$2,005,199 was pending at the time of reporting, and no disposition was reported for \$350,978. Dispositions reported by each prosecuting attorney and the Attorney General are included in an appendix attached to the report.
Compliance with Reporting Required Information	The 115 reports covered 585 total cases around the state. Some of the reports lacked required information, such as the date, time, and place of the seizure; whether criminal charges were filed; and the final disposition of criminal actions.

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

Compilation of 2015 Criminal Activity Forfeiture Act Seizures

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NICOLE GALLOWAY, CPA

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 2015 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 2015 CAFA seizure information reported.
2. Identify officials who submitted 2015 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 officials, we received 115 CAFA seizure reports; 110 of these reports were submitted by the required due date of January 31, 2016.

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.

Nicole R. Galloway, CPA
State Auditor

The following auditors participated in the preparation of this report:

Deputy State Auditor: Keriann Wright, MBA, CPA
Director of Audits: Regina Pruitt, CPA
In-Charge Auditor: Becky Webb, CPA, CFE

Compilation of 2015 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 2015. All but 5 of the 115 reports were received by the January 31, 2016, deadline. The following table lists the total number of CAFA seizure reports submitted to the State Auditor for 2015, 2014, and 2013.

Reporting Status	2015		2014 ¹		2013	
By January 31	110	94.8 %	110	94.8 %	114	98.3 %
After January 31	5	4.3	5	4.3	2	1.7
Total Reported	115	99.1	115	99.1	116	100.0
Did Not Report	1	0.9	1	0.9	0	0.0
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.

The Butler County, Chariton County, and Webster County prosecuting attorneys reported after the reporting deadline and reported no seizures. The Ray County and Shannon County prosecuting attorneys reported after the reporting deadline and reported seizures.

No information is presented for the St. Clair County Prosecuting Attorney who did not submit a 2015 CAFA seizure report to the State Auditor's Office by February 23, 2016, and we cannot determine if the county had any seizures to report.

In addition, we contacted the Missouri Department of Public Safety (DPS) and determined 7 prosecuting attorneys (Benton County, Chariton County, Clark County, Miller County, Shannon County, St. Clair County, and Wayne County) had not filed a CAFA seizure report with the DPS by February 23, 2016.

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.

Disposition of the Seizures Reported

We compiled the disposition of seizures as reported by prosecuting attorneys and the Attorney General for property seized during calendar year 2015. The following table lists the overall dollar value of the dispositions by category as reported to the State Auditor for 2015, 2014, and 2013.

Reported Disposition	2015		2014 ¹		2013	
Pending	\$ 2,005,199	33.4 %	\$ 1,293,241	23.9 %	\$ 1,776,653	38.5 %
Returned	416,612	6.9	509,923	9.4	384,568	8.3
Transferred to Federal Agency	3,167,512	52.8	3,361,468	62.0	2,300,764	49.8
Transferred to State	62,733	1.0	127,856	2.4	116,220	2.5
Other	0	0.0	1,389	0.0	2,513	0.1
Disposition Not Reported	350,978	5.9	124,309	2.3	34,800	0.8
Total	\$ 6,003,034	100.0 %	\$ 5,418,186	100.0 %	\$ 4,615,518	100.0 %

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



Compilation of 2015 Criminal Activity Forfeiture Act Seizures Executive Summary

See Appendix I for the 2015 CAFA seizures disposition as 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 585 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	2015		2014 ¹		2013	
Date	581	99.3 %	526	99.8 %	614	99.8 %
Time	451	77.1	387	73.4	472	76.7
Place of Seizure	574	98.1	517	98.1	614	99.8
Property Seized	584	99.8	527	100.0	615	100.0
Estimated Value of Property Seized	574	98.1	514	97.5	604	98.2
Person(s) Property Seized From	582	99.5	527	100.0	615	100.0
Criminal Charges Filed	381	65.1	314	59.6	357	58.0
Disposition of Seizure/Forfeiture	511	87.4	527	100.0	615	100.0
Disposition of Criminal Actions	456	77.9	419	79.5	498	81.0
Total Cases Reported	585	100.0 %	527	100.0 %	615	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 the number of 2015 CAFA seizure cases that reported the required information.

Appendix I

2015 CAFA Seizures Disposition Reported

Reporting Entity	Estimated Value of Cases Reported	Status Reported as of December 31, 2015					Not Reported
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Other	
Adair	\$ 0						
Andrew	0						
Atchison	3,600	3,600					
Attorney General	0						
Audrain	135,180	116,831	18,349				
Barry	560		560				
Barton	0						
Bates	0						
Benton**	2,000		2,000				
Bollinger	11,120	11,120					
Boone	59,698	57,295	849		1,554		
Buchanan	110,931	93,735	142		17,054		
Butler*	0						
Caldwell	0						
Callaway	105,748	103,259	2,489				
Camden	26,650	25,997			653		
Cape Girardeau	41,389			30,484	10,905		
Carroll	0						
Carter	20,000	20,000					
Cass	13,915	13,915					
Cedar	940	940					
Chariton* **	0						
Christian	33,538	29,388	4,150				
Clark**	0						
Clay	18,166	18,166					
Clinton	0						
Cole	61,175	61,175					
Cooper	3,191	3,191					
Crawford	28,202	28,202					
Dade	0						
Dallas	0						
Daviess	3,334	2,034			1,300		
DeKalb	0						
Dent	0						
Douglas	0						
Dunklin	8,420		8,420				
Franklin	356,705	170,439	5,364	180,902			
Gasconade	1,000	1,000					
Gentry	0						
Greene	201,459	169,527	31,932				
Grundy	4,130	4,130					
Harrison	0						

Appendix I

2015 CAFA Seizures Disposition Reported

Reporting Entity	Estimated Value of Cases Reported	Status Reported as of December 31, 2015					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Other	Not Reported
Henry	23,424	23,424					
Hickory	0						
Holt	0						
Howard	0						
Howell	8,357	8,357					
Iron	0						
Jackson	262,671	220,454	40,025		1,046		1,146
Jasper	50,938	47,718	3,220				
Jefferson	232,812	49,046	46,097	137,509	160		
Johnson	12,852	12,852					
Knox	0						
Laclede	0						
Lafayette	75,468	51,333	20,500		3,635		
Lawrence	77,999	77,999					
Lewis	0						
Lincoln	4,770	770	4,000				
Linn	2,910		2,910				
Livingston	0						
Macon	25,343						25,343
Madison	10,000	0	0	10,000			
Maries	0						
Marion	11,100	11,100					
McDonald	1,266	1,266					
Mercer	0						
Miller**	175,000	175,000					
Mississippi	1,620				1,620		
Moniteau	0						
Monroe	0						
Montgomery	0						
Morgan	0						
New Madrid	2,765	2,165	600				
Newton	20,449	20,449					
Nodaway	0						
Oregon	0						
Osage	0						
Ozark	0						
Pemiscot	0						
Perry	0						
Pettis	12,787	12,787					
Phelps	2,253,142	24,762	957	2,227,423			
Pike	0						
Platte	22,779	14,504	8,275				

Appendix I

2015 CAFA Seizures Disposition Reported

Reporting Entity	Estimated Value of Cases Reported	Status Reported as of December 31, 2015					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Other	Not Reported
Polk	0		0				
Pulaski	0						
Putnam	0						
Ralls	0						
Randolph	6,793	6,793					
Ray*	436	436					
Reynolds	0						
Ripley	0						
Saline	89,993	89,993					
Schuyler	0						
Scotland	0						
Scott	55,750	41,935		13,200	615		
Shannon* **	400	400					
Shelby	0						
St. Charles	458,440	17,230	30,110	411,100			
St. Clair**	DNF						
St. Francois	22,211	22,211					
St. Louis City	342,374	84,695	166,841	88,786	2,052		
St. Louis County	378,029	4,354	18,822	31,289	5,000		318,564
Ste. Genevieve	0		0				
Stoddard	9,906	9,906					
Stone	840	840					
Sullivan	0						
Taney	49,975	13,156		36,819			
Texas	0						
Vernon	10,453				4,528		5,925
Warren	25,320	25,320					
Washington	0						
Wayne**	0						
Webster*	0						
Worth	0						
Wright	12,611				12,611		
	\$ 6,003,034	2,005,199	416,612	3,167,512	62,733	0	350,978

DNF - Did not file a 2015 CAFA seizure report with the State Auditor's Office.

* Submitted the 2015 CAFA seizure report to the State Auditor's Office after the reporting deadline.

** Did not file a CAFA seizure report with the Director of Department of Public Safety as required.

This appendix compiles only the information reported to the State Auditor by prosecuting attorneys and the Attorney General. We did not verify this data.

Appendix II

2015 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
Adair	0	\$ 0									
Andrew	0	0									
Atchison	1	3,600	1	1	1	1	1	1	1	1	1
Attorney General	0	0									
Audrain	9	135,180	9	4	8	9	9	9	9	9	9
Barry	1	560	1		1	1	1	1	1	1	1
Barton	0	0									
Bates	0	0									
Benton**	1	2,000	1	1	1	1	1	1	1	1	1
Bollinger	1	11,120	1	1	1	1	1	1	1	1	1
Boone	13	59,698	13		13	13	13	13	13	13	13
Buchanan	11	110,931	11	11	11	11	11	11	11	11	7
Butler*	0	0									
Caldwell	0	0									
Callaway	11	105,748	11	11	11	11	11	11	11	11	10
Camden	9	26,650	9	9	9	9	9	9	9	9	3
Cape Girardeau	5	41,389	5	5	5	5	5	5	5	5	5
Carroll	0	0									
Carter	1	20,000	1	1	1	1	1	1	1	1	1
Cass	2	13,915	2	2	2	2	2	2	1	2	2
Cedar	1	940	1		1	1	1	1	1	1	1
Chariton* **	0	0									
Christian	8	33,538	8	6	6	8	8	7	2	8	1
Clark**	0	0									
Clay	6	18,166	6	2	6	6	6	6	1	6	6
Clinton	0	0									
Cole	16	61,175	16	16	16	16	16	16	15	16	16
Cooper	2	3,191	2	2	2	2	2	2	2	2	2
Crawford	2	28,202	2		2	2	2	2	1	2	2
Dade	0	0									
Dallas	0	0									
Daviess	2	3,334	2		2	2	2	2	2	2	2
DeKalb	0	0									
Dent	0	0									
Douglas	0	0									
Dunklin	1	8,420	1		1	1	1	1	1	1	1
Franklin	38	356,705	38	20	38	38	38	38	35	38	8
Gasconade	1	1,000	1		1	1	1	1	1	1	1
Gentry	0	0									
Greene	21	201,459	21	21	20	21	21	21	9	21	20
Grundy	1	4,130	1	1	1	1	1	1	1	1	1
Harrison	0	0									

Appendix II

2015 CAFA Seizures Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated Value of Cases Reported	Number of Cases that Reported Required Information								
					Place Seized	Property Seized	Estimated Value of Property Seized	Person(s) Property Seized From	Criminal Charges Filed	Disposition	
			Date	Time						Seizure	Criminal Actions
Henry	3	23,424	3	3	3	3	2	3	3	3	3
Hickory	0	0									
Holt	0	0									
Howard	0	0									
Howell	5	8,357	5	5	5	5	5	5	5	5	4
Iron	0	0									
Jackson	63	262,671	63	58	63	63	63	63	16	62	63
Jasper	10	50,938	10		10	10	10	10	10	10	10
Jefferson	35	232,812	35	35	35	35	35	34	12	35	15
Johnson	5	12,852	5	5	5	5	5	5	3	5	5
Knox	0	0									
Laclede	0	0									
Lafayette	16	75,468	16	16	16	16	16	16	16	16	1
Lawrence	2	77,999	2		2	2	2	2	2	2	2
Lewis	0	0									
Lincoln	4	4,770	4	4	4	4	3	4	4	4	4
Linn	1	2,910	1	1	1	1	1	1	1	1	1
Livingston	0	0									
Macon	3	25,343	3	3	3	3	3	3	3		3
Madison	4	10,000	1	1	1	4	1	4	3	4	1
Maries	0	0									
Marion	1	11,100	1	1	1	1	1	1	1	1	1
McDonald	1	1,266	1		1	1	1	1	1	1	1
Mercer	0	0									
Miller**	1	175,000	1	1	1	1	1	1	1	1	1
Mississippi	2	1,620	2		2	2	2	2	2	2	2
Moniteau	0	0									
Monroe	0	0									
Montgomery	0	0									
Morgan	0	0									
New Madrid	2	2,765	2		2	2	2	2	2	2	2
Newton	6	20,449	6		6	6	6	6	6	6	6
Nodaway	0	0									
Oregon	0	0									
Osage	0	0									
Ozark	0	0									
Pemiscot	0	0									
Perry	0	0									
Pettis	8	12,787	8		8	8	8	8	8	8	8
Phelps	14	2,253,142	14	13	14	14	14	14	5	14	5
Pike	0	0									
Platte	4	22,779	4		4	4	4	4	4	4	4

Appendix II

2015 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
Polk	1	0	1		1	1		1	1	1	1
Pulaski	0	0									
Putnam	0	0									
Ralls	0	0									
Randolph	11	6,793	11		11	11	8	11	11	11	10
Ray*	1	436	1		1	1	1	1	1	1	1
Reynolds	0	0									
Ripley	0	0									
Saline	6	89,993	6	4	6	6	6	6	5	6	6
Schuyler	0	0									
Scotland	0	0									
Scott	10	55,750	10	10	7	9	10	10	9	10	9
Shannon* **	1	400	1		1	1	1	1	1	1	1
Shelby	0	0									
St. Charles	20	458,440	20	20	20	20	20	20	5	20	4
St. Clair**	DNF										
St. Francois	3	22,211	3		3	3	3	3		3	3
St. Louis City	75	342,374	75	73	75	75	75	75	54	75	74
St. Louis County	79	378,029	79	77	79	79	79	78	33	11	72
Ste. Genevieve	1	0			1	1		1	1	1	1
Stoddard	1	9,906	1			1	1	1	1	1	1
Stone	1	840	1		1	1	1	1	1	1	1
Sullivan	0	0									
Taney	10	49,975	10		10	10	9	10	6	10	7
Texas	0	0									
Vernon	3	10,453	3		3	3	3	3	3	1	1
Warren	6	25,320	6	6	6	6	6	6	5	6	6
Washington	0	0									
Wayne**	0	0									
Webster*	0	0									
Worth	0	0									
Wright	2	12,611	2	1	2	2	2	2	1	2	1
	585	\$ 6,003,034	581	451	574	584	574	582	381	511	456

DNF - Did not file a 2015 CAFA seizure report with the State Auditor's Office.

* Submitted the 2015 CAFA seizure report to the State Auditor's Office after the reporting deadline.

** Did not file a CAFA seizure report with the Director of Department of Public Safety as required.

This appendix compiles the total number of 2015 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.