

Michigan Seeks to Ban Police from Seizing Property from People Who Have Not Been Convicted of Crimes

[Via](#) the *Detroit Free Press*:

Police and prosecutors would be prohibited from seizing cash and property from people accused of a crime until they are convicted on the charges under a bill passed in the state Senate on Wednesday.

The bill—SB 2—is a reread from the last legislative session when then-state Rep. Peter Lucido’s similar bill passed the House but never got a vote in the Senate.

Law enforcement objected to the bill during committee hearings last year.

Now Lucido, R-Shelby Township, is a senator and his civil asset forfeiture bill was the first bill to be voted on in the Senate chamber.

“We have rights in this society, the right to be presumed innocent until proven guilty and the right to be safe with our property and not have people take it,” Lucido said. “The current process has been abused for too long and hurt too many. It only makes sense that we make this change to protect the due process rights of innocent property owners.”

The *Free Press* states that law enforcement seized more than \$13 million in cash from civil asset forfeitures in 2017. Of the 6,662 cases, *more than half* did not involve someone convicted of a crime, according to a Michigan Senate agency.

Taking property from people who have been convicted of no crime sounds a lot like legalized robbery. If this sounds too hard to believe, don't feel bad.

I had no clear understanding of what civil asset forfeiture was until I read Sarah Stillman's wonderful [exposé](#) in the *The New Yorker* in 2013. (I recommend reading every word of Stillman's article, which left me lost for words; I could not fathom how such unjust practices were widespread in America.)


That civil asset forfeiture still exists after it was so fully exposed is a bit stunning. As the top commenter on the John Oliver civil asset forfeiture video below says, "Wow. This sounds like a practice straight from USSR."

That assessment is not far off.

Thankfully, it appears Michigan may be joining the 11 states—California, Connecticut, Iowa, Minnesota, Missouri, Montana, Nevada, New Hampshire, Ohio, Oregon, and Vermont—that now require a criminal conviction to lift someone of their rightful property. (Three states—North Carolina, New Mexico, and Nebraska—have abolished civil forfeiture entirely, according to the National Conference of State Legislatures.)

That it has taken this many years for states to finally address this injustice just reveals one of the inherent problems with government: even the most egregious laws are difficult to undo once they are passed.

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