CALIFORNIA DEPARTMENT OF JUSTICE

ASSETFORFEITURE

ANNUAL REPORT
2003
ANNUAL REPORT

BILL LOCKYER, ATTORNEY GENERAL

Prepared by
Divison of Law Enforcement - Bureau of Narcotic Enforcement

March 1, 2004

It is my pleasure, as the Attorney General, to publish this annual comprehensive statistical report on asset forfeiture proceedings conducted pursuant to California state law (California Health and Safety Code Sections 11469, et seq.).

This is the ninth annual asset forfeiture report, providing information on all forfeitures initiated throughout the state during calendar year 2003. Also provided in this report is detail regarding the recipients and value of all forfeited assets from forfeitures completed and disbursed in 2003 (including those initiated in 2003 and those pending from 1995 through 2002).

The goal of asset forfeiture is to remove the profits from those who benefit from illegal drug trade. Illegal drug trafficking diverts money from lawful commerce to illegal activity. While drug seizures and arrests present a temporary setback for drug traffickers, asset forfeiture is effective in permanently removing the proceeds from them while diminishing their ability to continue the illegal enterprise.

Asset forfeiture proceeds are used to fund education and drug abuse prevention programs. The law permits law enforcement agencies to use the proceeds of forfeiture to purchase safe, more effective equipment that they otherwise could not afford. Thus, law enforcement is able to convert criminal profits into supplemental funding to inhibit the illegal drug trade.

Legally and fairly administered, asset forfeiture laws are a powerful tool for enforcing California's drug laws and preventing violent crime. Depriving drug trafficking criminals of their profits and ability to continue their criminal drug enterprises makes California a safer and healthier state.

BILL LOCKYER
Attorney General

Health and Safety Code 11495

11495. (a) The funds received by the law enforcement agencies under Section 11489 shall be deposited into an account maintained by the Controller, county auditor, or city treasurer. These funds shall be distributed to the law enforcement agencies at their request. The Controller, auditor, or treasurer shall maintain a record of these disbursements which records shall be open to public inspection, subject to the privileges contained in Sections 1040, 1041, and 1042 of the Evidence Code.

(b) Upon request of the governing body of the jurisdiction in which the distributions are made, the Controller, auditor, or treasurer shall conduct an audit of these funds and their use. In the case of the state, the governing body shall be the Legislature.

(c) Each year, the Attorney General shall publish a report which sets forth the following information for the state, each county, each city, and each city and county:

(1) The number of forfeiture actions initiated.

(2) The number of cases and the administrative number or court docket number of each case for which forfeiture was ordered or declared.

(3) The value of the assets forfeited.

(4) The recipients of the forfeited assets, the amounts received, and the date of the disbursement.

(d) The Attorney General shall develop administrative guidelines for the collection and publication of the information required in subdivision (c).

(e) The Attorney General's report shall cover the calendar year and shall be made no later than March 1 of each year beginning with the year after the enactment of this law.

Table of Contents

Introduction 1

Methodology 2

Highlights 4

Asset Forfeiture Statistical Data 5

- Forfeitures Initiated 6
- Forfeitures Completed 13

Alameda 20
Butte 39
Calaveras 43
Contra Costa 44
Humboldt 66
Imperial 71
Kern 78
Kings 91
Lake 96
Lassen 100
Los Angeles 101
Madera 165
Marin 166
Mendocino 169
Merced 178
Modoc 181
Monterey 182
Napa 188
Nevada 192

•Forfeitures Completed (continued)

Orange 193
Placer 222
Riverside 226
Sacramento 246
San Bernardino 273
San Diego 302
San Francisco 304
San Luis Obispo 330
San Mateo 334
Santa Barbara 340
Santa Clara 349
Santa Cruz 360
Shasta 366
Siskiyou 371
Solano 372
Sonoma 389
Stanislaus 393
Tehama 398
Trinity 400
Tuolumne 401
Ventura 402
Yolo 408
Yuba 412

Introduction

California Health and Safety Code Section 11495, which became effective August 19, 1994, as part of the state's current asset forfeiture statutes, requires the Attorney General to publish an annual report that sets forth the following information for the state and each county:

- The number of forfeiture actions initiated during the year covered by the report.
- The number of cases and the administrative number or court docket number of each case for which forfeiture was ordered or declared during the report year.
- The value of the assets forfeited during the report year.
- The recipients of the forfeited assets, the amounts received and the dates of the disbursements.

The information required is for state seizures and forfeitures conducted pursuant to California state law only. Federal seizures and forfeitures in which California law enforcement agencies participated/shared are not reported in this document.

This ninth annual report covers the 2003 calendar year. Subsequent reports will be published by March 1 of each year.

Methodology

To comply with the requirements of Health and Safety Code Section 11495, on December 22, 1994, the Department of Justice (DOJ) distributed a Division of Law Enforcement Information Bulletin to all California district attorneys. This bulletin requested that the district attorneys, as the officials conducting state forfeiture proceedings, begin documenting the information required for each forfeiture action effective January 1, 1995, and for every year thereafter.

DOJ created a self-contained computer program for the district attorneys' use in collecting/reporting the required statistical information. In 1995 a computer disk containing this program and a User's Guide were sent to each district attorney's office in California. In 1996, and again in 1997, DOJ developed enhanced versions of the computer program for easier and more efficient entry/modification of data for the annual report. Most district attorneys did in fact provide their data to DOJ for this report via this computer program.

This report provides the information required by Health and Safety Code Section 11495 on all forfeitures **initiated** during calendar year **2003**, both by county and statewide. For each forfeiture **initiated** during **1995 through 2003** that was **completed** during calendar year **2003**, detailed information is provided as to the number of cases, case numbers, asset values, and recipients of the forfeited assets -- again by county and statewide.

Pursuant to Health and Safety Code Section 11489, state asset forfeiture proceeds are to be distributed as follows:

- One percent to a private nonprofit organization composed of local prosecutors for the exclusive purpose of providing a statewide program of education and training for prosecutors and law enforcement in the ethics and proper use of state asset seizure and forfeiture laws.

- Ten percent to the prosecutorial agency that processes the forfeiture action.

- Twenty-four percent to the State General Fund.

- Sixty-five percent to the state and/or local law enforcement agencies that participated in the seizure, distributed so as to reflect the proportionate contribution of each agency.

(Fifteen percent of any funds distributed to local law enforcement agencies is to be deposited in a special fund maintained by the county, city, or city and county of any agency making the seizure or seeking an order for forfeiture and shall be used for the sole purpose of funding programs designed to combat drug abuse and divert gang activity.)

In setting forth the recipients of assets forfeited in 2003, this report lists for most counties the full sixty-five percent share going to local law enforcement agencies. It does not provide detail as to those agencies' disposition of fifteen percent of their share to a county and/or city special fund because the information was not provided, nor is it required for this report. Some agencies did voluntarily provide this information for their cases, and for those counties the amount of the fifteen percent share is listed in Table 3 as going to "15% -11489" or to a county special fund.

In some cases where only one law enforcement recipient is listed in this report, that agency may in fact have done a further distribution of the amount listed to other law enforcement agencies that participated in the case. This further distribution information was not available in some cases because of the type of distribution system used by some district attorneys' offices.

Highlights

The information provided in this report represents 100 percent reporting by California's district attorneys.

- A total of 3,691 forfeiture proceedings were initiated in 2003 involving assets of a total estimated value of $28,394,588. Some of these proceedings are still pending. (The disposition of any pending proceedings will be provided in the annual report covering the year they are completed and fully disbursed.)

- A total of 3,345 forfeiture cases were completed and disbursed during 2003 (includes cases initiated during 1995 through 2003); total value of the assets disbursed is $26,589,892.

- All 58 California counties provided information for this report.

- Eight counties initiated no forfeitures during calendar year 2003.

Asset Forfeiture

Statistical Data

Forfeitures Initiated

- **Table 1** sets forth information as to asset forfeiture actions initiated pursuant to California state law during 2003.

- For purposes of this report, seizure of assets constitutes the initiation of a forfeiture action.

- Some cases listed involved forfeiture actions that are still pending. In other cases, forfeiture was ordered or declared and assets were distributed during 2003. (Details as to the latter are provided in the Forfeitures Completed section.)

- The following counties have no information listed in Table 1 because they did not initiate any forfeiture actions during 2003:

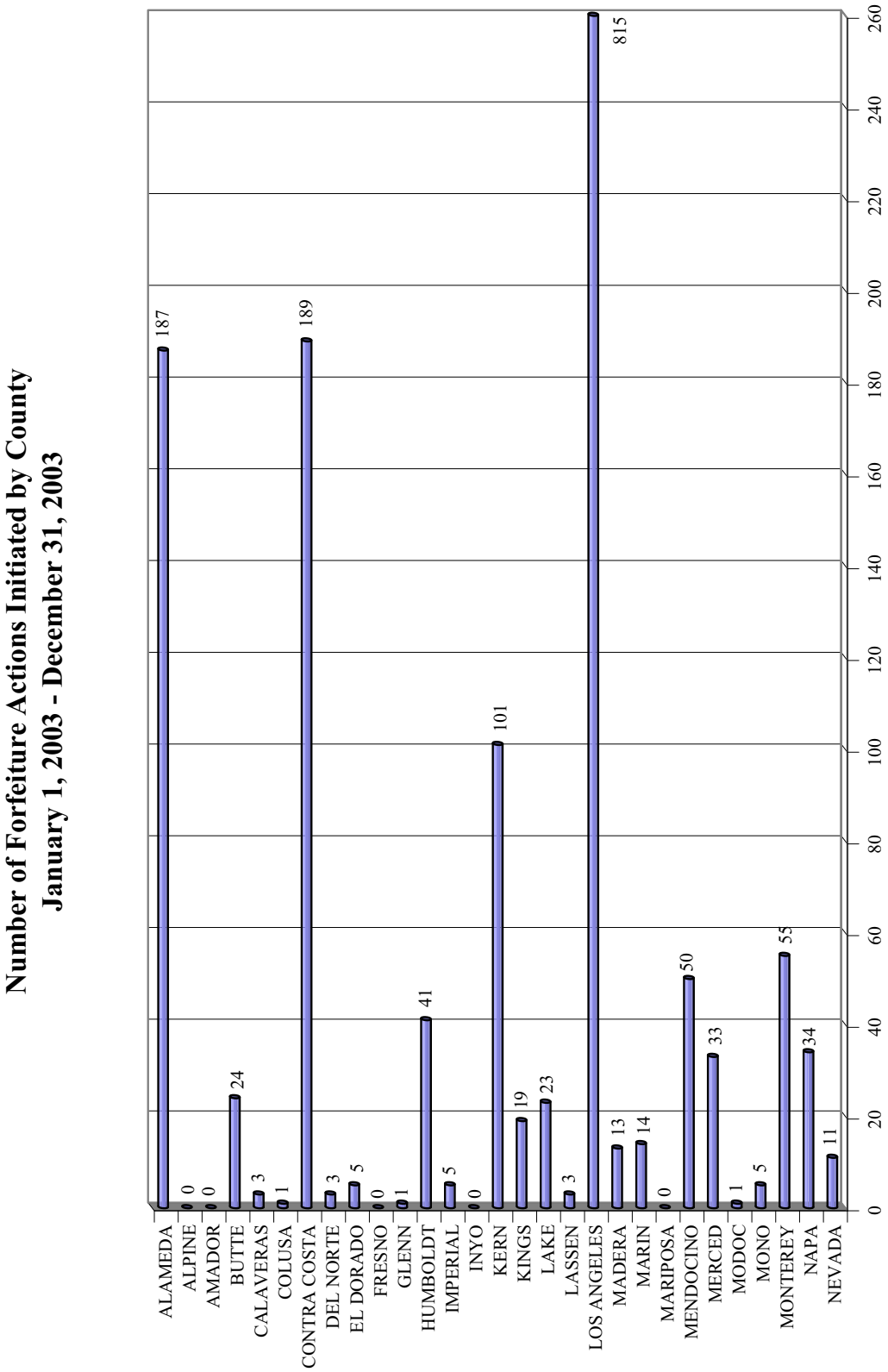
Alpine	Mariposa
Amador	Sierra
Fresno	Tulare
Inyo	Yuba

Table 1

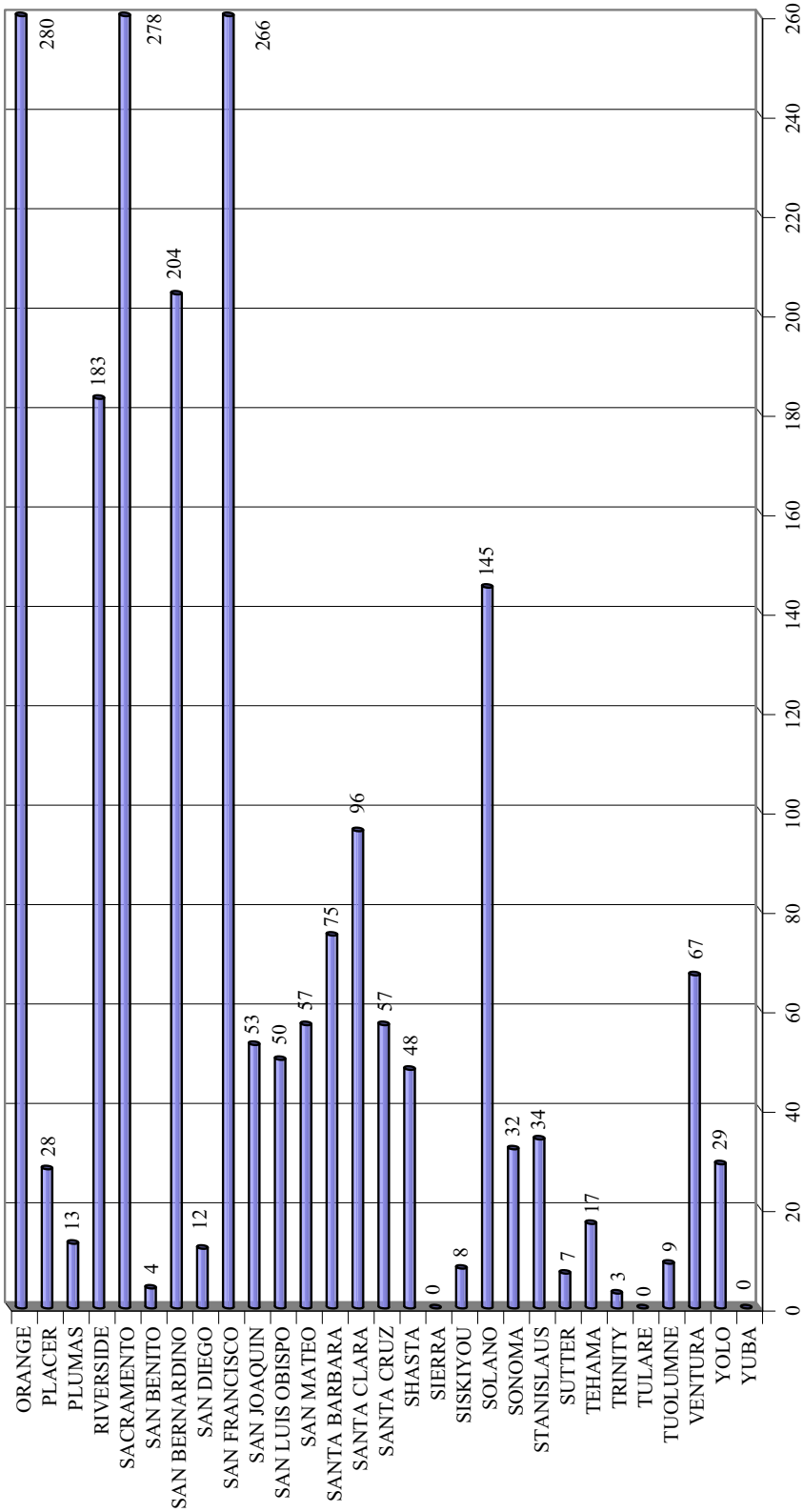
County	Total Cases Initiated	Estimated Value of Assets Seized
ALAMEDA	187	$1,056,962.72
ALPINE	0	$0.00
AMADOR	0	$0.00
BUTTE	24	$59,771.31
CALAVERAS	3	$22,850.00
COLUSA	1	$18,728.00
CONTRA COSTA	189	$1,806,492.72
DEL NORTE	3	$49,303.00
EL DORADO	5	$13,081.00
FRESNO	0	$0.00
GLENN	1	$8,355.00
HUMBOLDT	41	$247,104.83
IMPERIAL	5	$651,695.66
INYO	0	$0.00
KERN	101	$481,135.89
KINGS	19	$47,220.23
LAKE	23	$90,662.00
LASSEN	3	$14,018.00
LOS ANGELES	815	$10,286,942.76
MADERA	13	$74,063.00
MARIN	14	$319,551.35
MARIPOSA	0	$0.00
MENDOCINO	50	$247,857.00
MERCED	33	$253,446.55
MODOC	1	$3,022.00
MONO	5	$7,544.80
MONTEREY	55	$223,809.30
NAPA	34	$39,746.21
NEVADA	11	$26,102.00
ORANGE	280	$1,272,472.63
PLACER	28	$73,923.34
PLUMAS	13	$21,582.58
RIVERSIDE	183	$1,623,918.24
SACRAMENTO	278	$1,279,535.97
SAN BENITO	4	$17,042.00
SAN BERNARDINO	204	$3,127,937.89
SAN DIEGO	12	$54,325.00
SAN FRANCISCO	266	$995,519.75
SAN JOAQUIN	53	$136,368.13

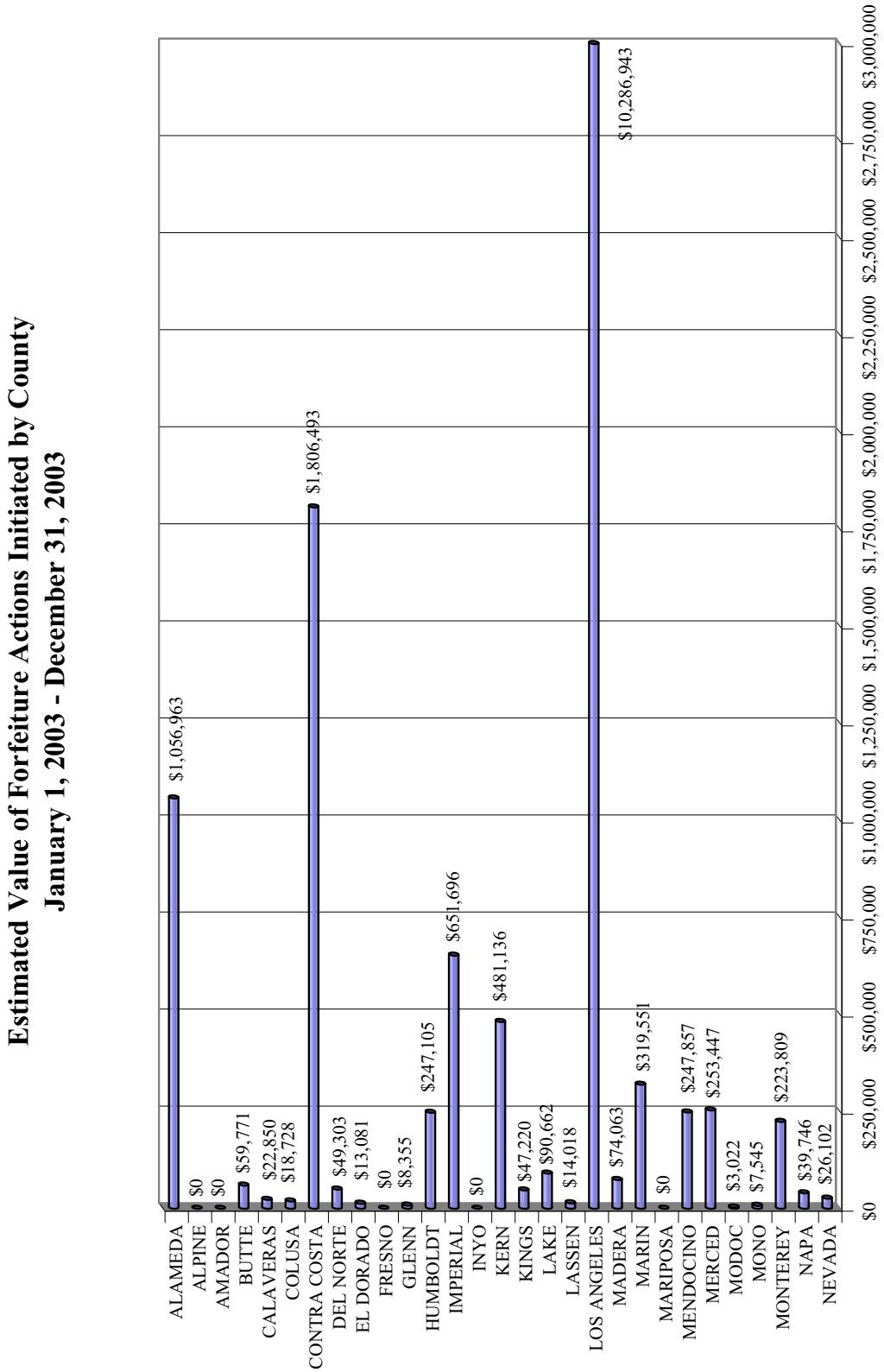
Table 1

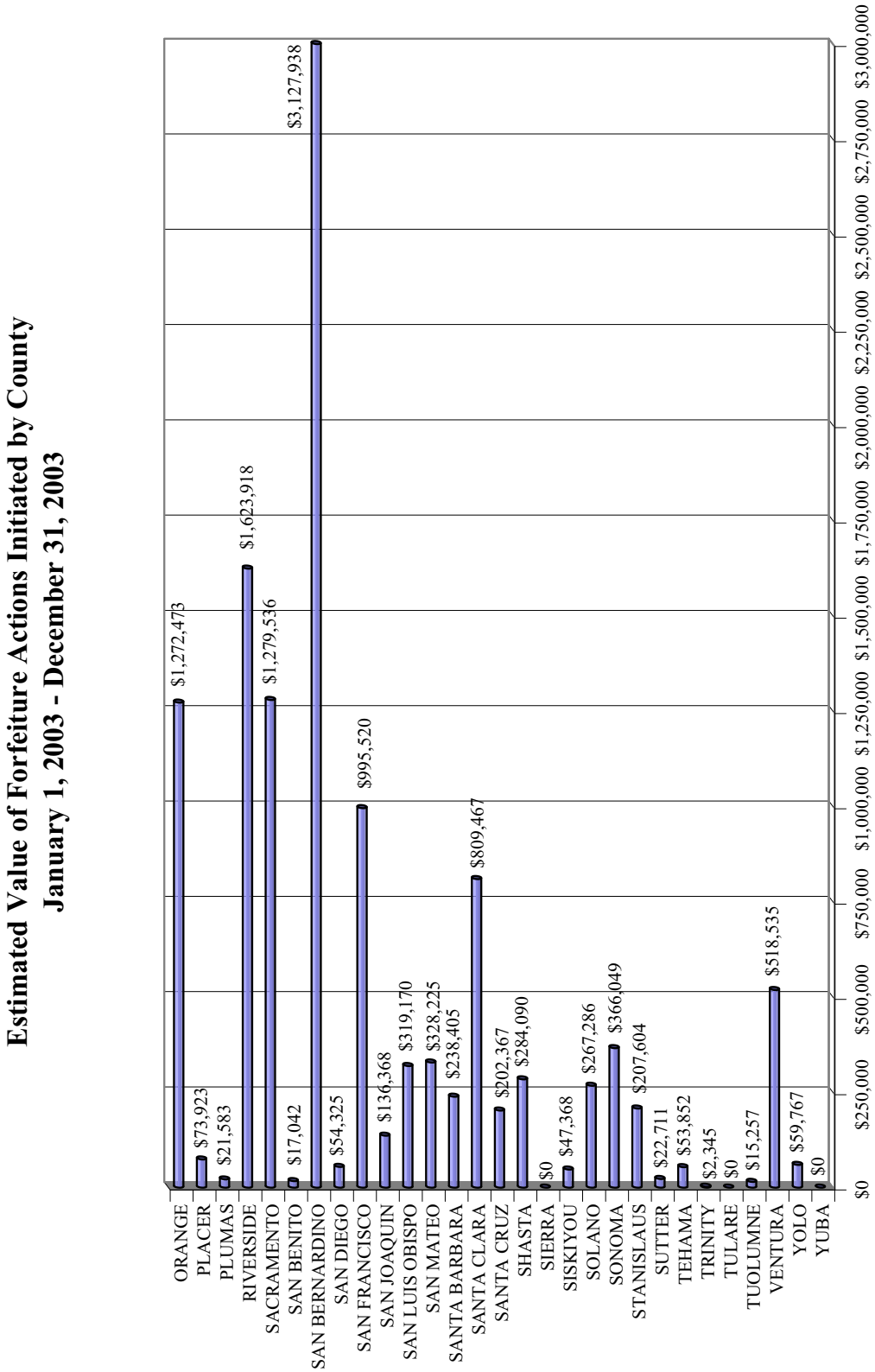
County	Total Cases Initiated	Estimated Value of Assets Seized
SAN LUIS OBISPO	50	$319,170.36
SAN MATEO	57	$328,225.22
SANTA BARBARA	75	$238,404.80
SANTA CLARA	96	$809,466.51
SANTA CRUZ	57	$202,366.88
SHASTA	48	$284,090.21
SIERRA	0	$0.00
SISKIYOU	8	$47,368.00
SOLANO	145	$267,286.03
SONOMA	32	$366,049.13
STANISLAUS	34	$207,603.75
SUTTER	7	$22,711.00
TEHAMA	17	$53,852.00
TRINITY	3	$2,344.66
TULARE	0	$0.00
TUOLUMNE	9	$15,256.77
VENTURA	67	$518,534.52
YOLO	29	$59,767.04
YUBA	0	$0.00
Total:	**$3,691**	**$28,394,587.74**


Number of Forfeiture Actions Initiated by County
January 1, 2003 - December 31, 2003
ALAMEDA 187
ALPINE 0
AMADOR 0
BUTTE 24
CALAVERAS 3
COLUSA 1
CONTRA COSTA 189
DEL NORTE 3
EL DORADO 5
FRESNO 0
GLENN 1
HUMBOLDT 41
IMPERIAL 5
INYO 0
KERN 101
KINGS 19
LAKE 23
LASSEN 3
LOS ANGELES 815
MADERA 13
MARIN 14
MARIPOSA 0
MENDOCINO 50
MERCED 33
MODOC 1
MONO 5
MONTEREY 55
NAPA 34
NEVADA 11
0
20
40
60
80
100
120
140
160
180
200
220
240
260

Number of Forfeiture Actions Initiated by County
January 1, 2003 - December 31, 2003




Estimated Value of Forfeiture Actions Initiated by County
January 1, 2003 - December 31, 2003
ALAMEDA $1,056,963
ALPINE $0
AMADOR $0
BUTTE $59,771
CALAVERAS $22,850
COLUSA $18,728
CONTRA COSTA $1,806,493
DEL NORTE $49,303
EL DORADO $13,081
FRESNO $0
GLENN $8,355
HUMBOLDT $247,105
IMPERIAL $651,696
INYO $0
KERN $481,136
KINGS $47,220
LAKE $90,662
LASSEN $14,018
LOS ANGELES $10,286,943
MADERA $74,063
MARIN $319,551
MARIPOSA $0
MENDOCINO $247,857
MERCED $253,447
MODOC $3,022
MONO $7,545
MONTEREY $223,809
NAPA $39,746
NEVADA $26,102
$0
$250,000
$500,000
$750,000
$1,000,000
$1,250,000
$1,500,000
$1,750,000
$2,000,000
$2,250,000
$2,500,000
$2,750,000
$3,000,000


Estimated Value of Forfeiture Actions Initiated by County
January 1, 2003 - December 31, 2003
ORANGE $1,272,473
PLACER $73,923
PLUMAS $21,583
RIVERSIDE $1,623,918
SACRAMENTO $1,279,536
SAN BENITO $17,042
SAN BERNARDINO $3,127,938
SAN DIEGO $54,325
SAN FRANCISCO $995,520
SAN JOAQUIN $136,368
SAN LUIS OBISPO $319,170
SAN MATEO $328,225
SANTA BARBARA $238,405
SANTA CLARA $809,467
SANTA CRUZ $202,367
SHASTA $284,090
SIERRA $0
SISKIYOU $47,368
SOLANO $267,286
SONOMA $366,049
STANISLAUS $207,604
SUTTER $22,711
TEHAMA $53,852
TRINITY $2,345
TULARE $0
TUOLUMNE $15,257
VENTURA $518,535
YOLO $59,767
YUBA $0
$0
$250,000
$500,000
$750,000
$1,000,000
$1,250,000
$1,500,000
$1,750,000
$2,000,000
$2,250,000
$2,500,000
$2,750,000
$3,000,000

Forfeitures Completed

- **Table 2** provides summary information by county as to asset forfeiture cases completed pursuant to California state law during 2003. (This includes disbursement information on cases initiated during 1995 through 2003.)

- For purposes of this report, an asset forfeiture case is considered completed when forfeiture has been ordered or declared and all assets have been distributed.

- **Table 3** provides detailed information as to each asset forfeiture case completed pursuant to California state law during 2003. (This includes disbursement information on cases initiated during 1995 through 2003.)

- The "Amount Forfeited" listed in Table 3 for each case represents the net amount available for disbursement, after deduction of costs or returns to claimants and addition of interest accrued.

- Cases initiated during 1995 through 2003 in which only partial distribution has been made are not listed in Table 3 and are considered still pending.

- The following counties show zeroes in Table 2 and are not shown in Table 3 because, during this report period, they did not fully distribute any forfeiture cases initiated during 1995 through 2003:

Alpine	El Dorado	Mariposa	San Joaquin
Amador	Fresno	Mono	Sierra
Colusa	Glenn	Plumas	Sutter
Del Norte	Inyo	San Benito	Tulare

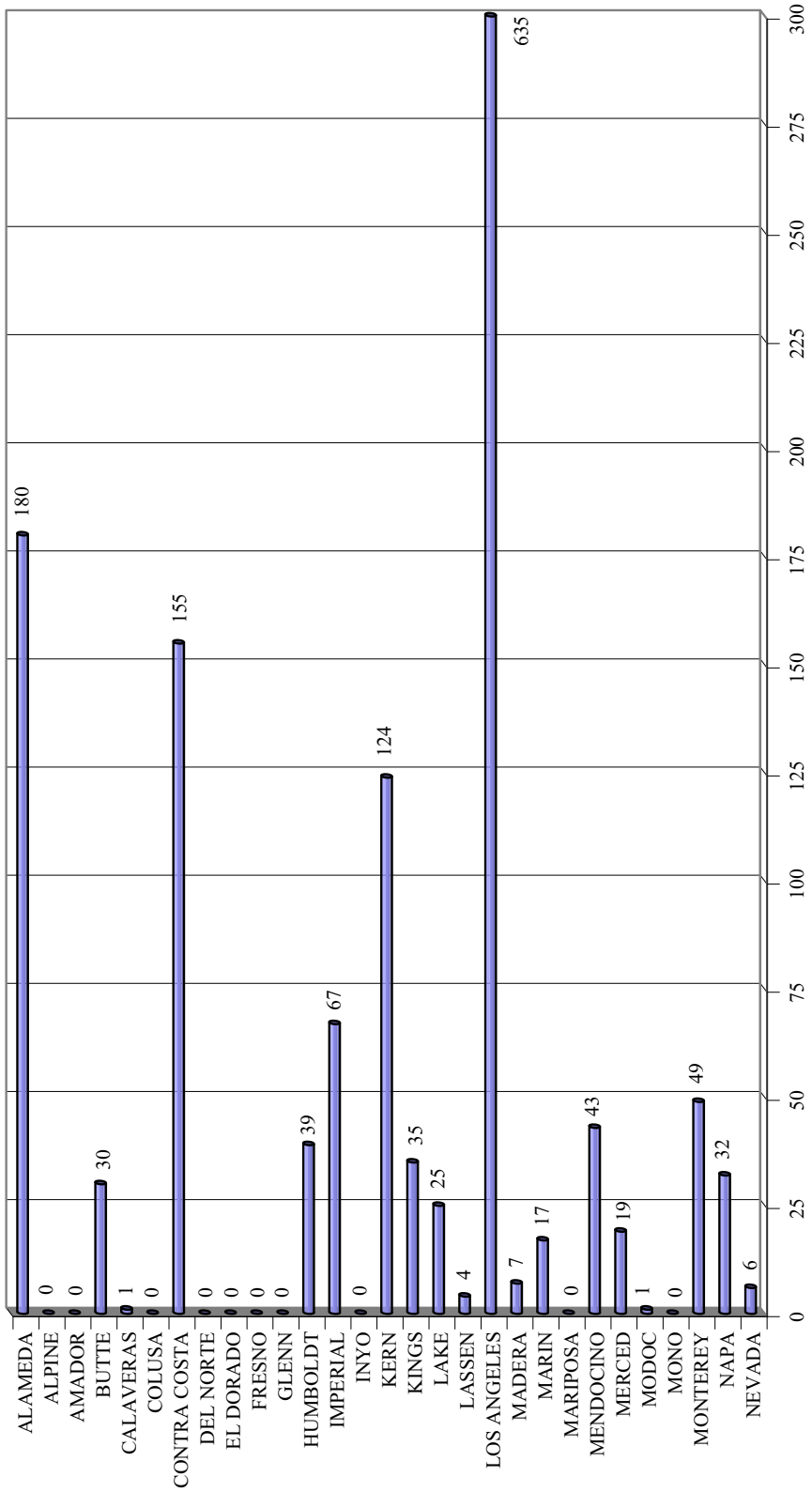
Table 2

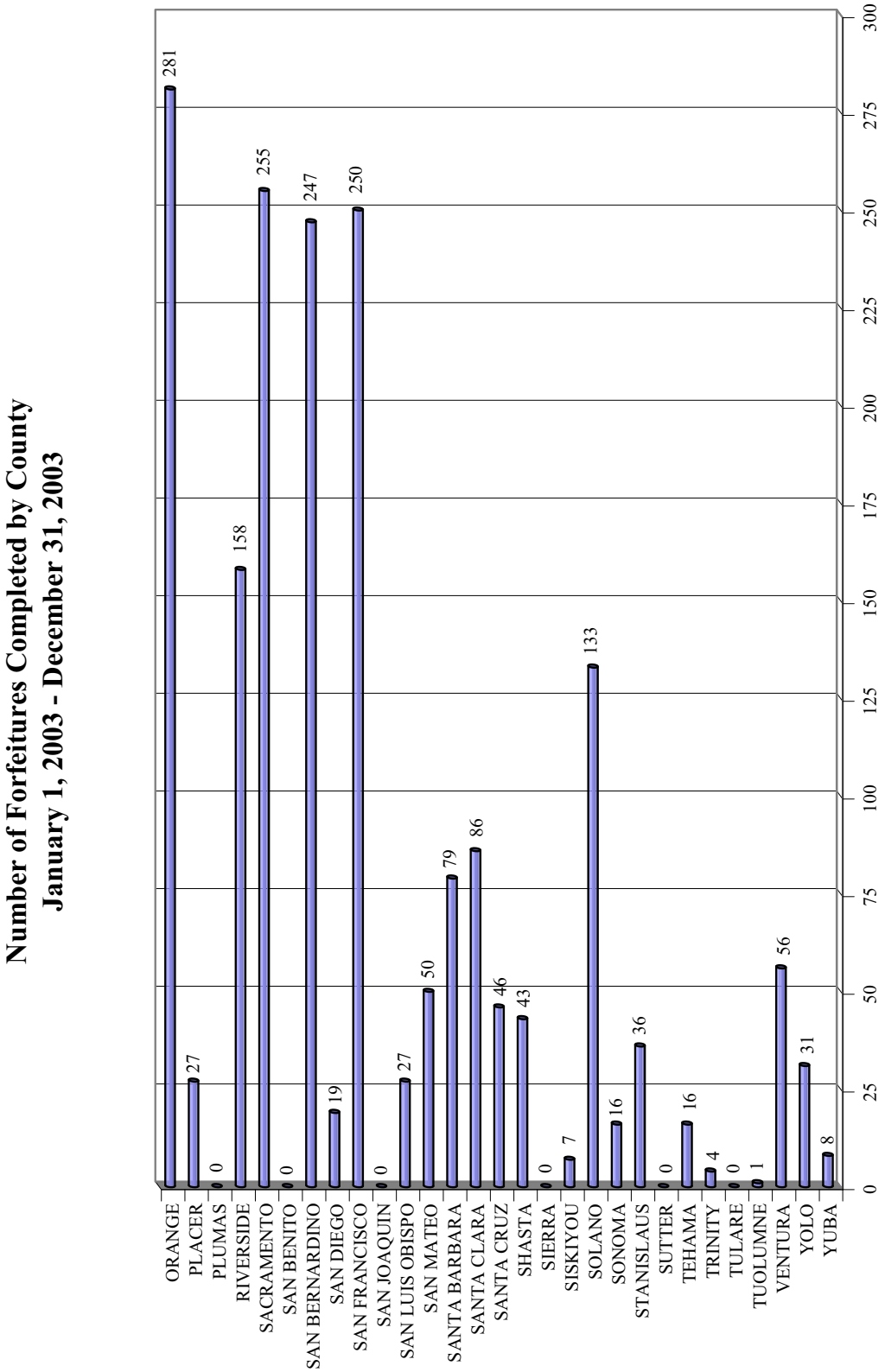
County	1995-2003 Forfeitures Completed	Amount Disbursed
ALAMEDA	180	$1,051,308.33
ALPINE	0	$0.00
AMADOR	0	$0.00
BUTTE	30	$39,530.55
CALAVERAS	1	$4,891.37
COLUSA	0	$0.00
CONTRA COSTA	155	$443,199.92
DEL NORTE	0	$0.00
EL DORADO	0	$0.00
FRESNO	0	$0.00
GLENN	0	$0.00
HUMBOLDT	39	$203,721.44
IMPERIAL	67	$766,825.72
INYO	0	$0.00
KERN	124	$448,381.21
KINGS	35	$160,409.56
LAKE	25	$59,147.40
LASSEN	4	$10,627.00
LOS ANGELES	635	$8,484,252.66
MADERA	7	$25,186.88
MARIN	17	$142,088.13
MARIPOSA	0	$0.00
MENDOCINO	43	$255,799.91
MERCED	19	$144,180.20
MODOC	1	$1,840.33
MONO	0	$0.00
MONTEREY	49	$121,373.62
NAPA	32	$84,376.76
NEVADA	6	$31,920.84
ORANGE	281	$2,968,662.13
PLACER	27	$54,171.04
PLUMAS	0	$0.00
RIVERSIDE	158	$1,083,120.96
SACRAMENTO	255	$1,179,102.11
SAN BENITO	0	$0.00
SAN BERNARDINO	247	$4,940,268.81
SAN DIEGO	19	$58,042.01
SAN FRANCISCO	250	$881,506.57
SAN JOAQUIN	0	$0.00

Table 2

County	1995-2003 Forfeitures Completed	Amount Disbursed
SAN LUIS OBISPO	27	$88,684.01
SAN MATEO	50	$323,013.04
SANTA BARBARA	79	$202,706.83
SANTA CLARA	86	$755,074.11
SANTA CRUZ	46	$171,565.94
SHASTA	43	$262,706.06
SIERRA	0	$0.00
SISKIYOU	7	$27,120.53
SOLANO	133	$466,034.46
SONOMA	16	$55,619.01
STANISLAUS	36	$238,019.27
SUTTER	0	$0.00
TEHAMA	16	$42,958.39
TRINITY	4	$17,458.52
TULARE	0	$0.00
TUOLUMNE	1	$205.35
VENTURA	56	$237,514.67
YOLO	31	$42,984.86
YUBA	8	$14,291.83
Total:	**$3,345**	**$26,589,892.34**

Number of Forfeitures Completed by County
January 1, 2003 - December 31, 2003




Number of Forfeitures Completed by County
January 1, 2003 - December 31, 2003
ORANGE 281
PLACER 27
PLUMAS 0
RIVERSIDE 158
SACRAMENTO 255
SAN BENITO 0
SAN BERNARDINO 247
SAN DIEGO 19
SAN FRANCISCO 250
SAN JOAQUIN 0
SAN LUIS OBISPO 27
SAN MATEO 50
SANTA BARBARA 79
SANTA CLARA 86
SANTA CRUZ 46
SHASTA 43
SIERRA 0
SISKIYOU 7
SOLANO 133
SONOMA 16
STANISLAUS 36
SUTTER 0
TEHAMA 16
TRINITY 4
TULARE 0
TUOLUMNE 1
VENTURA 56
YOLO 31
YUBA 8
0
25
50
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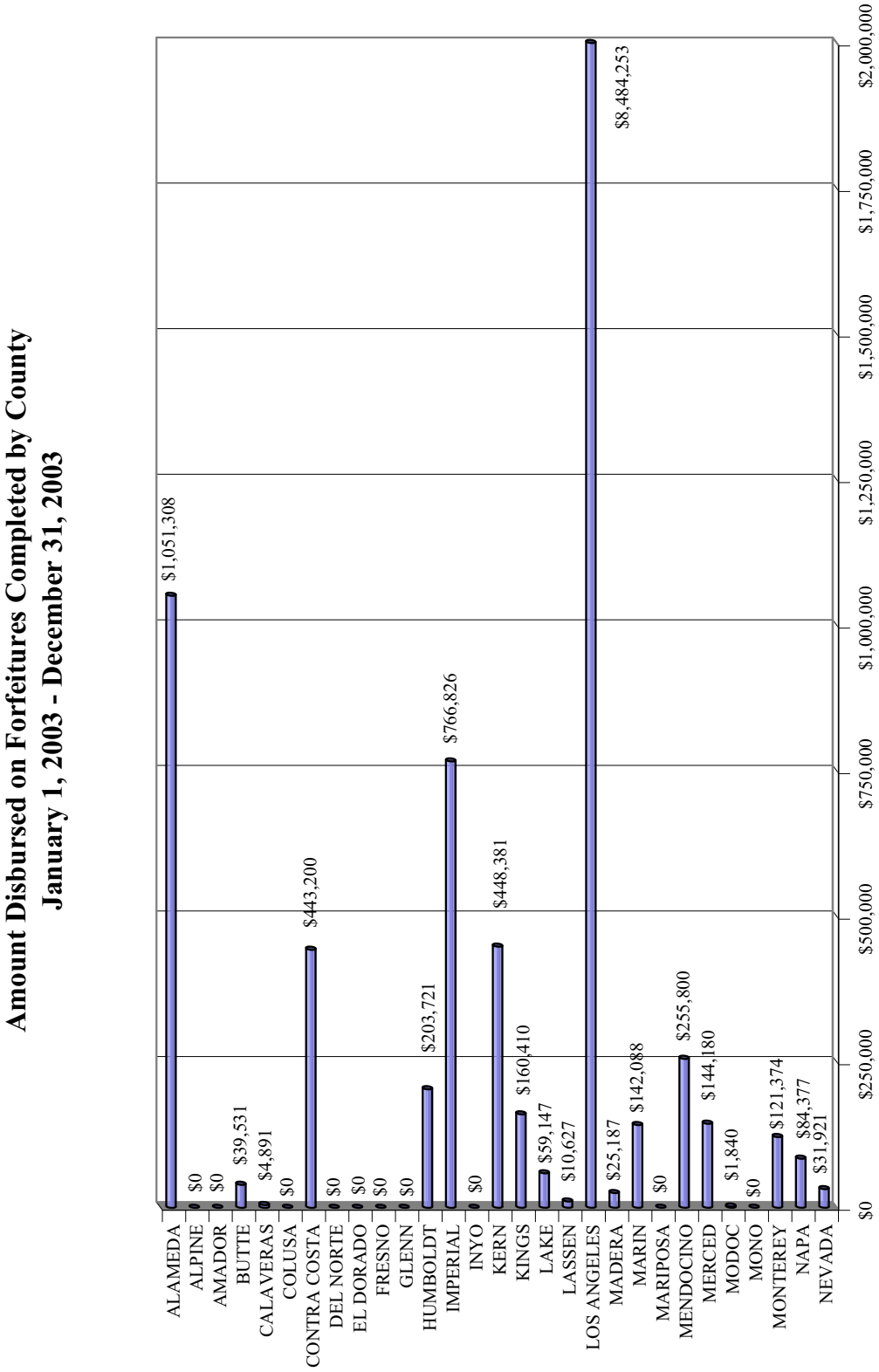
200
225
250
275
300


Amount Disbursed on Forfeitures Completed by County
January 1, 2003 - December 31, 2003
ALAMEDA $1,051,308
ALPINE $0
AMADOR $0
BUTTE $39,531
CALAVERAS $4,891
COLUSA $0
CONTRA COSTA $443,200
DEL NORTE $0
EL DORADO $0
FRESNO $0
GLENN $0
HUMBOLDT $203,721
IMPERIAL $766,826
INYO $0
KERN $448,381
KINGS $160,410
LAKE $59,147
LASSEN $10,627
LOS ANGELES $8,484,253
MADERA $25,187
MARIN $142,088
MARIPOSA $0
MENDOCINO $255,800
MERCED $144,180
MODOC $1,840
MONO $0
MONTEREY $121,374
NAPA $84,377
NEVADA $31,921
$0
$250,000
$500,000
$750,000
$1,000,000
$1,250,000
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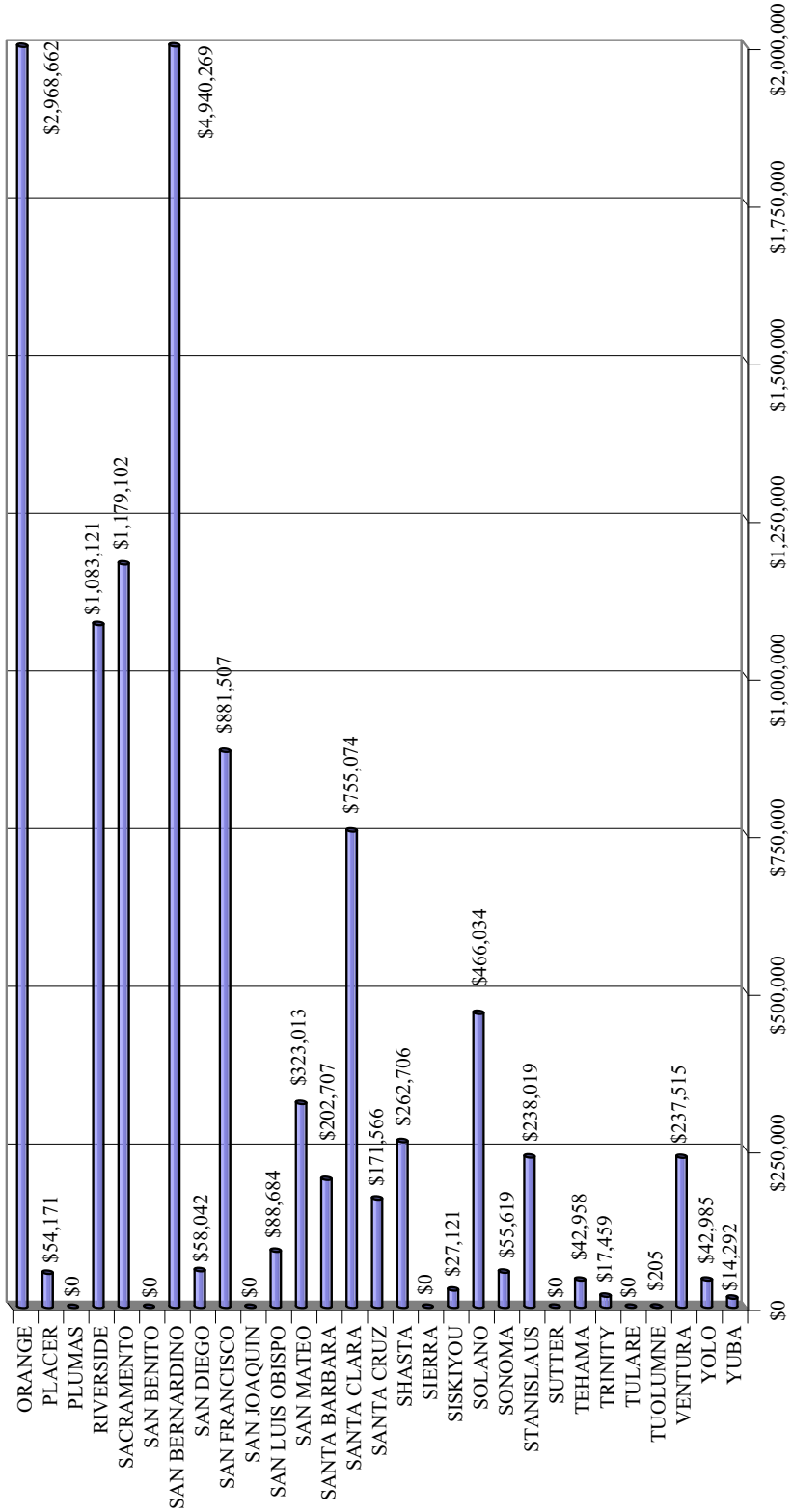
$1,750,000
$2,000,000

Amount Disbursed on Forfeitures Completed by County
January 1, 2003 - December 31, 2003