
SENATE BILL 5882

State of Washington 52nd Legislature 1991 Regular Session

By Senators Pelz, McCaslin, Johnson, Madsen, Moore and Owen.

Read first time February 28, 1991. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to drug assets property forfeiture by criminals;
2 adding new sections to chapter 43.10 RCW; creating a new section; and
3 making an appropriation.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that drug asset
6 forfeiture and criminal profiteering laws allow law enforcement
7 officials and the courts to strip drug dealers and other successful
8 criminals of the wealth they have acquired from their crimes and the
9 assets they have used to facilitate those crimes. These laws are
10 rarely used by prosecutors, however, because of the difficulty in
11 identifying profiteering and the assets that criminals may have as a
12 result of their crimes. It is the intent of the legislature to provide
13 local law enforcement officials with sufficient resources to seize the
14 assets of criminals and the proceeds of their profiteering.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.10 RCW
2 to read as follows:

3 The attorney general shall establish a drug asset forfeiture and
4 criminal profiteering unit. The unit shall: (1) Work with police
5 investigators to locate assets and identify drug traffickers who have
6 significant assets to be forfeited; (2) help police investigators build
7 criminal prosecution related civil asset forfeiture cases; (3) assist
8 prosecutors in counties throughout the state in gathering information
9 necessary to locate assets that may be forfeited as a result of
10 criminal activity; (4) litigate and assist local prosecutors in the
11 litigation of drug asset forfeiture cases and other complex forfeiture
12 or profiteering cases; and (5) conduct seminars and training sessions
13 on investigation and prosecution of asset forfeiture and criminal
14 profiteering cases.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.10 RCW
16 to read as follows:

17 The drug asset forfeiture and criminal profiteering account is
18 created in the custody of the state treasurer. Fifty percent of the
19 proceeds from seizures made in cases filed by the drug asset forfeiture
20 and criminal profiteering unit in the office of the attorney general
21 under section 2 of this act shall be deposited into the account.
22 Expenditures from the account may be used only for the support of the
23 activities of the drug asset forfeiture and criminal profiteering unit
24 in the office of the attorney general. Only the attorney general or
25 the attorney general's designee may authorize expenditures from the
26 account. The account is subject to allotment procedures under chapter
27 43.88 RCW, but no appropriation is required for expenditures.

1 NEW SECTION. **Sec. 4.** The sum of one million dollars, or as
2 much thereof as may be necessary, is appropriated for the biennium
3 ending June 30, 1993, from the general fund to the attorney general for
4 the purposes of establishing the drug asset forfeiture and criminal
5 profiteering unit in the office of the attorney general as authorized
6 by this act.