

NLWJC - Kagan

DPC - Box 011 - Folder 005

Crime - Forfeiture



Cynthia A. Rice

02/17/98 11:17:35 AM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: A friend made this suggestion for an executive action--what do you think?

Got an interesting welfare-to-work idea out of our mail (of all places). An upstate county commissioner suggests that cars seized in asset forfeiture proceedings (you know, from drug rings etc.) be given to welfare-to-work programs to help out welfare moms with transportation issues. I can imagine bureaucratic resistance from law enforcement. (I think they sell the cars now and keep the dough.) But it does have a nice political spin -- take the cars from criminals and use them to help people leave welfare -- and might even do a bit of good.

Message Sent To:


Bruce N. Reed/OPD/EOP
Elena Kagan/OPD/EOP
Jose Cerda III/OPD/EOP
Andrea Kane/OPD/EOP
Diana Fortuna/OPD/EOP

Andrea Kane

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Jose Cerda III/OPD/EOP, Diana Fortuna/OPD/EOP

Subject: Re: A friend made this suggestion for an executive action--what do you think? 

Definitely has potential. Probably wouldn't result in a lot of cars, but the idea seems good. In fact, most efforts to provide cars to welfare recipients are being done on a pretty small scale. I know there's a program in Kentucky to lease old police cars and other public vehicles to welfare recipients for a small monthly fee. I also just learned about a car purchasing initiative in SE Michigan--have asked our intern Ben to get more information. At a minimum, we could include this type of idea in the HHS/DOL/DOT transportation guidance that's being prepared as an example of what communities can do.




Jose Cerda III

02/17/98 12:03:46 PM

Record Type: Record

To: Andrea Kane/OPD/EOP

cc: See the distribution list at the bottom of this message

Subject: Re: A friend made this suggestion for an executive action--what do you think? 

Esteemed Colleagues:

I'm not saying I'm not open to the idea, but fiddling w/asset forfeiture funds formulas is a one of the "third rails" of law enforcement. Locally, folks have state laws and municipal ordinances telling them how funds may be distributed. In some cases, anti-crime community and drug community groups may be eligible -- so the funds aren't necessarily just used for law enforcement. Federally, it gets more difficult. Purely federal forfeiture proceeds go into special funds at DOJ and Treasury, and the law is fairly limited on how those proceeds can be spent. Appropriators, too, scrutinize and earmark forfeiture funds. Also, the feds some times "adopt" local forfeitures, and the law prescribes how the dollars can be spent (most law enforcement as I recall). Some years some members of Congress proposed reforming this process, and it was a pretty big issue for law enforcement. The feds were "adopting" many local forfeitures so that they could get a cut -- and so that locals wouldn't be subject to local mandates that might have been less favorable to law enforcement -- and a pretty big fight broke out. As I recall, the law enforcement folks won...I'll revisit my files and check w/DOJ.

Jose'

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