

# Tennessee Will Require Law Enforcement to Report Their Forfeiture Spending - Institute for Justice

Under a [bill](#) signed into law by Gov. Bill Haslam on Monday, Tennessee's law enforcement agencies and drug task forces will finally have to reveal how they spend millions of dollars' worth of confiscated property. Thanks to the state's civil forfeiture laws, police and prosecutors can seize and keep cash, cars, and other valuables without ever charging the owner with a crime.

Once property is forfeited to the government, law enforcement can collect up to 100 percent of the proceeds, which provides them with a strong incentive to pursue civil forfeiture. Research by the Institute for Justice found that between 2009 and 2014, Tennessee agencies forfeited almost [\\$86 million in cash](#). (That figure does not include proceeds from cars, electronics, and other physical property, so the true value of forfeiture funding is even higher.) But where that money went remained a mystery.

With the governor's signature, [SB 1877](#) will require law enforcement to disclose their forfeiture expenditures, which may include spending on overtime, travel, equipment, court costs, community programs and other expenses. In addition, the state's 225 municipal local law enforcement agencies will have to undergo [annual audits](#) by the Tennessee Treasury Comptroller. Those reports will be posted online.

According to an Institute for Justice report on [forfeiture transparency and accountability](#), SB 1877 has earned Tennessee top marks for record accessibility, forfeiture account audits, and accounting for forfeiture fund

spending.

“By itself, improved transparency cannot fix the fundamental problems with civil forfeiture—namely, the property rights abuses it permits and the temptation it creates to police for profit,” noted Jennifer McDonald, an IJ research analyst who co-authored the transparency report. “Transparency is no substitute for comprehensive forfeiture reform, but it is still vitally important to bring forfeiture activity and spending into the light of day.”

Nationwide, 29 states and Washington, D.C. have [tightened their forfeiture laws](#) since 2014. Most sweeping of all, both Nebraska and New Mexico outright abolished the practice of civil forfeiture and replaced it with criminal forfeiture.