



May 25, 2016

The Honorable Bob Goodlatte
Chairman, House Committee on the Judiciary
2309 Rayburn House Office Building
Washington, DC 20515

The Honorable John Conyers, Jr.
Ranking Member, House Committee on the Judiciary
2426 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

We commend you and the bipartisan group of Representatives working on justice reform issues for your leadership, and more specifically for your commitment to improving our nation's flawed civil asset forfeiture system.

To that point, we write in regards to the Due Process Act of 2016 (H.R. 5283), which was recently introduced by Representative Jim Sensenbrenner. We are particularly encouraged to see that this legislation increases the burden of proof in federal forfeiture cases to "clear and convincing"; codifies policies already implemented by the Department of Justice and Internal Revenue Service related to abuses with enforcement of financial structuring violations; requires legal counsel for indigent property owners; facilitates the recovery of legal fees in some instances; and establishes new transparency measures to better inform the public and Congress on the details of federal forfeitures.

This important piece of legislation is a step in the right direction. Additionally, we urge the House Judiciary Committee to work expediently to address one of the most significant drivers of abuse of the civil forfeiture system, namely the federal equitable sharing program. This program, in its current form as administered through the U.S. Department of Justice, is in need of serious reform. The equitable sharing program eliminates accountability and enables abusive practices, leading to the victimization of innocent Americans from all walks of life.

The current system allows government agents, by participating in the federal equitable sharing program, to in many instances circumvent restrictions put in place at the state level. Reforming this loophole is crucial to ensuring Americans' rights as guaranteed by the U.S. Constitution are preserved and protected.

Each of the undersigned organizations look forward to working with you to develop a robust package of reforms to address the federal equitable sharing program. In the meantime, we recognize the Due Process Act of 2016 is an important step toward improving the flawed civil asset forfeiture regime.

Signed,

FreedomWorks

American Civil Liberties Union

Americans for Tax Reform

Leadership Conference on Civil and Human Rights

Right on Crime

Center for American Progress

Faith and Freedom Coalition

NAACP