



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 765 – ASSET FORFEITURE EVIDENCE SEIZURE

**GENERAL ORDER:** 2022-XX  
**ISSUED:** October 24, 2022

**EFFECTIVE:** October 24, 2022

**REVIEWED/APPROVED BY:**  
Assistant Chief Paul Formolo  
**DATE:** September 6, 2022

**ACTION:** Amends General Order 2020-16 (September 24, 2020)

**WILEAG STANDARD(S):** 6.5.1, 11.2.1

### ROLL CALL VERSION

Contains only changes to current policy.  
For complete version of SOP, see SharePoint.

## 765.10 DEFINITIONS

### A. ASSETS EVIDENCE

For the purposes of this policy, almost any type of property could be subject to a forfeiture proceeding, which includes but is not limited to money, vehicles, and property (e.g., real estate, electronics).

### C. MONEY SEIZURE REQUIREMENTS

#### 1. Federal Money Seizure Requirements

- a. \$5,000 and above from one person or from one location with an arrest for a qualifying charge. Department members must contact a HIDTA supervisor prior to seizing money.
- b. \$5,000 and above from one person with no arrest and reasonable suspicion it is proceeds of drug trafficking. Department members must contact a HIDTA supervisor prior to seizing monies with no arrest.

**Note:** Depending on the type of seizure and qualifying charges, the federal money seizure requirement may be more than \$5,000.

### D. QUALIFYING CHARGES

2. The above is not an all-inclusive list of all eligible qualifying charges. Members shall contact HIDTA (through their shift commander) to determine if members may seize ~~assets~~ evidence they believe ~~are~~ is subject to forfeiture under federal code that are related to non-controlled substances crimes (e.g., human trafficking, money laundering, child pornography).

### F. SEIZURE

For the purposes of this SOP, a seizure is ~~asset(s)~~ evidence which ~~are~~ is taken into

custody as a result of the commission of a crime, which may be subject to forfeiture pursuant to law.

### **765.15 ASSET EVIDENCE SEIZURE FORFEITURE PROCEDURES (WILEAG 11.2.1)**

A. Members shall notify their shift commander in the following circumstances:

1. When an arrest is made for a qualifying charge and there are assets is evidence the arresting officer believes are is subject to forfeiture under federal asset forfeiture laws.

C. SHIFT COMMANDER RESPONSIBILITIES

2. The shift commander shall contact the on duty HIDTA supervisor:

- a. If the shift commander believes that non-monetary property assets evidence could be eligible for seizure under federal asset forfeiture laws; or.

F. When non-monetary assets evidence and/or money (\$5,000 and above) is subject to be seized the investigating member shall:

4. Inventory the money and/or any applicable non-monetary asset(s) evidence as evidence. If it is determined that the investigating officers are to inventory the money and/or non-monetary asset(s) evidence, the person arrested and in possession of the money and/or non-monetary asset(s) evidence shall be listed as the "claimant" on the ~~WinAce-Officer-Drop~~ inventory report, unless he/she expressly denies ownership. In such cases, this information shall be documented in the "Circumstances" field of the ~~WinAce-Officer-Drop~~ inventory report.
5. If HIDTA advises the investigating member to seize a vehicle for a qualifying charge, the investigating member shall follow all procedures as out lined in SOP 610.20(E) to tow the vehicle as evidence (7) ~~Towing of Vehicles as it relates to evidence tows to permanently seize a vehicle; to include filing the Evidence Vehicle Seizure Report (form PV-6).~~
7. Send a notification by e-mail to: [REDACTED] the on-call HIDTA supervisor containing the following information:
  - a. Case number;
  - b. Suspect name;
  - c. Property to be seized;
  - d. Arresting officers contact information.

G. Members are encouraged to contact the HIDTA with questions related to ~~asset forfeiture~~ evidence seizure procedures. Normal business hours are Monday through Friday 8:00 am to 4:00 pm, phone [REDACTED] or 24 hours a day at [REDACTED].

A handwritten signature in black ink, appearing to read 'JBA' with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN  
CHIEF OF POLICE

JBN:mfk