

Civil Asset Forfeiture

Frequently Asked Questions

(Revised July 2019)

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Getting Started

Q: My agency has nothing to report. Do we still have to use the application?

A: Yes. All agencies are required to report using the Civil Asset Forfeiture application.

Q: How do I report if my agency does not have access to CJNet?

A: Please contact the agency who conducts your FCIC/NCIC requests. They may allow you to use their network to complete your agency report.

Q: Does the Chief of Police or Sheriff have to complete the report?

A: No. It is up to your agency to choose who will complete the report. The person accessing the system must have access to a CJNet computer.

Q: Can my agency have multiple people registered for our agency?

A: Yes. You may have as many users as you want. Please be aware that any changes made by a user will update the entire report. Also, once one user submits the report; it will lock the report for the agency.

Q: I do not see my agency in the drop down list on the registration page. What do I do?

A: Please check variations of your agencies name.

For example all "City of..." or "Town of..." titles have been simplified to just the city or town name. City of Tallahassee Police Department is now Tallahassee Police Department.

If you still do not see your agency, please call us at 850-410-7228 and we can add your agency to the list.

Q: Help! When I log in, I see the wrong Law Enforcement Agency information listed on my screen. What do I do?

A: Please call or email us and we can correct the information.

Donations

Q: My agency did not seize any items this year; however, we donated from our forfeiture account. How do I report?

A: Under the attestation, you will select the first option, “Our Agency has seized or forfeited property to report for the above referenced fiscal year.” This will bring up additional questions to help you complete your report.

For example: to report donations, you would select “yes” to the question “Did you receive Forfeiture Funds?” This will bring up the screen to enter donation information.

Q: In the donations area, the program only allows me to choose one donation category but we donated to multiple areas. What should I do?

A: Please choose the category that best fits your overall donation category. In the comments field, please detail the category, charity, and amounts donated.

Q: Where do we list items that we have donated to charity?

A: This report is only for identifying the total amount of contraband forfeiture funds donated to charity.

Funds Received

Q: My agency did not seize any items this year; however, we earned interest on the forfeiture funds. How do I report?

A: Under the attestation, you will select the first option, “Our Agency has seized or forfeited property to report for the above referenced fiscal year.” This will bring up additional questions to help you complete your report.

For example: to report interest earned, you would select yes to the question “Did you receive Forfeiture Funds?” This will bring up the screen to enter interest income.

Q: My agency received items as part of a task force. How do I report them?

A: Agencies involved as part of the task force would list the funds received in Table A: Funds Received from Other Agencies. The primary agency (that pursued the legal forfeiture proceedings) would list the case as their forfeiture in the seizure-forfeiture actions section. Funds transferred to other agencies would be listed in Table B: Transfers to Other Agencies.

Q: Do I need to list funds from federal forfeiture sharing/equitable sharing?

A: No. Federal forfeiture information should not be included in the state civil asset forfeiture report. This information is captured in the Federal reporting system. You can learn more at <https://www.justice.gov/criminal-mlars/equitable-sharing-program>.

Q: Do I list restitution paid to our agency?

A: No. This report is for items that have been seized or forfeited only.

Expenditures

Q: My agency did not seize any items this year; however, we expended funds from the forfeiture account. How do I report?

A: Under the attestation, you will select the first option, “Our Agency has seized or forfeited property to report for the above referenced fiscal year.” This will bring up additional questions to help you complete your report.

For example: to report expenditures, you would select “yes” to the question “Did you expend Forfeiture Funds?” This will bring up the table to list your expenditures.

Q: Does my agency need to report expenditures from this year’s funds only, or all funds, even those rolling over from a previous year? If we report more expenditures than we received, is it a problem?

A: You must report all expenditures for your agency’s most recently closed fiscal year, even if funds earned in a previous year were used.. It is okay to report more expenditures than income received from forfeitures.

Q: Can your office tell me what category to list expenditures under?

A: We cannot offer guidance on how to report your expenditures. You can find more information on disposition of liens and forfeited property in Section (s.) 932.7055, Florida Statutes (F.S.), or we recommend consulting with your agency's legal advisor.

Forfeiture Actions

Q: My agency seized items in a case but did not proceed with the forfeiture process. Do I still have to list the seized items? What do we do for the date field?

A: Yes. You must identify all seized items.

For example: if the item was seized but later returned to the owner with no forfeiture proceedings pursued, you would list the forfeiture action outcome as "returned to owner" and the forfeiture date would be the date the item was returned to the owner.

Q: We have large amounts of forfeiture actions to report and it will take too long to enter them into the program. Can we just send you our spreadsheet?

A: No. Everything must be reported through the Civil Asset Forfeiture application.

Q: We seized items for forfeiture last year and listed the case as pending on our previous annual report. Do I have to list the seized items again once the asset has been disposed?

A: Yes. You can indicate the seizure date of a previous fiscal year and the outcome date would be the date of the disposition. Starting with the FY2018-2019 reporting cycle, you will be able to import any forfeiture actions that were reported as pending in the previous fiscal year.

For example: if you seized an item in September 2017, and the final court disposition was in July 2018, the item would have been listed as pending on the FY17-18 report. On the FY18-19 report you would list September 2017 for the seizure date and July 2018 for the forfeiture date.

Q: If items were seized as evidence but later turned over to my agency as part of a settlement agreement, would I list that as a forfeiture?

A: No. Only items that are seized under s. 932.701, F.S., should be listed.

Reports

Q: When will I receive a certification or receipt for my report?

A: We do not certify your information. Once you click the submit button and you see the message on the screen that your report has been received, you are done. You will not receive an additional email confirming your submission. You may print or save a copy of your report if needed for your records.

Q: I submitted my report and realized we made a mistake. Are we doomed?

A: No. As long as the reporting period is still open, we can unlock the report. Please send an email to forfeiturereports@fdle.state.fl.us to request your report be unlocked. We will notify you once the request has been completed.

Q: My PDF report does not match the information that I entered on the screens. What do I do?

A: Please email the PDF report and a screen capture of what you have entered on the screen to forfeiturereports@fdle.state.fl.us so that we can research the problem. As soon as we have a resolution, we will let you know.

Q: I discovered a mistake on last year's report. Can I correct it?

A: No. After the reporting period has closed, changes cannot be made to your report.

More Questions

Q: Our agency is unable to complete the report by the deadline for various reasons. Can we get an extension or an exemption?

A: No. Reporting requirements are set by s. 932.7061, F.S. We are unable to make exceptions. Please contact us before the deadline if you are having trouble reporting.

Q: What happens if we do not complete the report by the deadline identified in Statute?

A: Section 932.7062, F.S., identifies the penalty for non-compliance with reporting regulations. A seizing agency that fails to comply with the reporting requirements in s. 932.7061 F.S., is subject to a civil fine of \$5000, to be determined by the Chief Financial Officer and payable to the General Revenue Fund. Please contact us before the deadline if you are having trouble reporting.

Q: Your reporting application is too hard to use. Can you make it easier?

A: We are happy to consider your suggestions or ideas to make the process better. Email your ideas to us at forfeiturereports@fdle.state.fl.us.

Q: How do I report animals and livestock that we have seized?

A: Animals seized under F.S. 588.17 (loose animals) or F.S. 828.073 (abused and neglected animals) are not to be listed on this report. If you do have animals seized as part of the Contraband Forfeiture Act, you can contact your local livestock market or agricultural extension office to determine their estimated value. You may choose the asset type “other” then provide a brief description of the animals seized or forfeited. For example if a herd of hogs has been seized, you would describe them as 27 Berkshire Hogs: 1 Boar, 14 Sows and 12 piglets.

Q: I still have more questions. Who can I talk to?

A: You may reach us via email at forfeiturereports@fdle.state.fl.us or telephone at 850-410-7228.