

# America's Collapse: Asset Forfeiture

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Region: [USA](#)

Theme: [History](#)

*Readers aware that I, and Dmitry Orlov, have been chronicling America's rapid decline ask me, "where did it all begin?" To answer that question would require a massive history such as Jacques Bazun's From Dawn to Decadence: 500 Years of Western Cultural Life. All I can do for you is to show you recent evidence from our time.*



Let's begin an occasional series on the subject with asset forfeiture. Asset forfeiture was one of those tactics that Sir Thomas More warned against in the play, "A Man for All Seasons." Cutting down a protective feature of law in order to better chase after devils exposes the innocent to injustice along with the guilty. The devil was the Mafia. Asset forfeiture originated as a way to prevent gangsters from using their ill-gotten gains to hire better lawyers to defend them than the US Justice Department could hire to prosecute them. In effect, gangsters were denied the use of their money in their defense. This was the beginning of an unconstitutional assault on private property and due process, but the judiciary, desiring that the Mafia be imprisoned, ignored their constitutional responsibility. The judges joined in the chase after devils.

A next step was to go further in the "war on drugs" and confiscate the property of those suspected of drug crimes. The Comprehensive Forfeiture Act of 1984 declared forfeitable all real property, including any right, title or interest in anything associated in any way with the commission of a drug crime.

As I have stressed and as legal scholars formerly stressed, the law unfolds to the limit of its logic. Innocent people have had their cars confiscated because they picked up a hitch-hiker who was in possession of drugs discovered in a police stop. Federal agents have confiscated real estate on the grounds of which they conducted a "drug sting." As one of the participants in the sting committed a crime, the property chosen for the sting can be confiscated on the grounds that the property "facilitated a drug crime." Multimillionaire Donald Scott was shot dead by police in his home on his 200-acre estate in Malibu, California, because of a conspiracy to seize Mr. Scott's home on the theory that there was "probable cause" to think that the heir to a vast European chemical and cosmetic fortune was growing marijuana somewhere on his estate (*The Tyranny of Good Intentions*, pp.

Asset forfeiture soon jumped beyond drug crimes to all crimes. A family lost their motel because a prostitute rented a room in which she conducted her business. The motel had unknowingly “facilitated a crime.” Asset forfeiture permits a person’s property to be confiscated even though the owner was not a participant in the crime and had no knowledge of the crime.

There have been vast numbers of innocent American tax-paying victims of police stealing their property under asset forfeiture law. Over the years I have reported cases, and Lawrence Stratton and I addressed police theft from the innocent public in *The Tyranny of Good Intentions* published in 2000 and a new edition in 2008. The injustice done to so many Americans is one cost of asset forfeiture laws. *The criminalization of police departments is another cost.*

Local TV stations in Tennessee, for example, have reported many instances of police from different local jurisdictions fighting over seizure rights on different stretches of Interstate 40. The police stop cars with out-of-state tags, search the cars and passengers, and if they find cash in the amount of \$100 or greater the police confiscate it on the grounds that the amount indicates the selling of drugs or the intended purchase of drugs. On other pretexts the police seize the cars leaving the family on foot in a strange land.

In *The Tyranny of Good Intentions*, Larry Stratton and I tell the story of Selena Washington who was stopped on I-95 in Florida on her way to purchase construction materials to repair her hurricane-damaged home. She doubted the building materials company would accept a large check from a black woman and had with her the insurance settlement of \$19,000 in cash. Police had set up roadblocks in order to rob people and confiscated her money without even taking her name. With the aid of an attorney and proof of insurance settlement, she was able to recover \$15,000 or 79% of her money. To get her money back, she had to agree that the police could keep \$4,000. I don’t know what the attorney’s fees were. Most likely, the bandit police prevented the full restoration of her home, just as when the police steal a person’s car they prevent the person from going to work and earning a living. Is the person still responsible for car payments when their car is stolen by police?

Clearly, neither the police nor the local governments that allegedly oversee the police are concerned about the career-destroying impositions, along with the deaths, that they impose on the people who pay their salaries. Why do the idiot “law and order conservatives” romanticize the police? How utterly stupid can a person be?

The Orlando Sentinel investigated police stops in Volusia County, Florida, and concluded that the police had used pretexts to confiscate tens of thousands of dollars from motorists. Only four of the motorists managed to get all of their money back.

Despite massive police abuse, or is it merely enforcement, of forfeiture laws, the practice continues to expand. The public acceptance of police as criminal organizations has resulted in new schemes for stealing people’s property. Police stop motorists and on any number of pretexts impound their car. Impound and storage fees rapidly mount, making it impossible for anyone other than a well-to-do person to recover their car. The cars are then sold to a contractor. The August 2019 issue of *Car and Driver* describes how this works in Chicago. *It is a tale of banditry. And it goes on right in front of our eyes, and nothing is done about it.*

When the police who are paid by the public to “serve and protect” instead rob and murder without accountability, not even insouciant Americans can deny the devastating evidence of American legal, political and societal collapse.

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