



Greed & the Innocent Owners

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“We know there are abuses of the forfeiture system,” Supreme Court Justice Sonia Sotomayor declares. “We know it because it’s been documented throughout the country repeatedly.”

Civil asset forfeiture is a crime — if a legal one. I’ve devoted numerous columns to it, here, these past few decades. Interestingly, there’s no overt political reason for it not to stop, for opposition to it comes from both left and right — and middle.

The problem, explains left-wing Justice Sotomayor, is that this legal practice of seizing property associated with crime does not have checks and balances in American law, since, until the 1970s, it had been used circumspectly, for the most part — against pirates and such. Since then, and in great part because of the War

on Drugs, it has gotten out of hand: greedy functionaries in law enforcement have grabbed property and kept it, requiring even “innocent owners” — people not directly engaging in any crime — to go through absurdly difficult legal maneuvers, expending inordinate time and far too much money to get back what’s theirs.

It’s all very corrupt, as Justice Neil Gorsuch — no left-winger, he — observes. “Clearly, there are some jurisdictions that are using civil forfeiture as funding mechanisms,” he said.

All this I glean from a terrific [article](#) by Jacob Sullum in Reason. Like many of my past columns, Sullum identifies litigation by the heroic Institute for Justice.

What strikes me now, however, is how unresponsive our governments have been. We are still dealing with this horrific practice year after year despite near universal opposition to it by citizens. Politicians could have stopped it cold years ago.

Justice delayed is justice denied.

Why pussyfoot around this? Because politicians are not serving us. They are greedy, too. For power. They’ll even use our property for their cause.

This is Common Sense. I’m Paul Jacob.