

"Failed"

**Resolution #2018-18**

A RESOLUTION OPPOSING MICHIGAN HOUSE BILL 4158

**Purpose and Finding:** The Michigan Controlled Substances Act contains the various provisions for civil asset forfeiture. The Albion Department of Public Safety has routinely engaged in civil asset forfeiture both at the local and federal levels in its mission to combat crime and the illegal distribution of controlled substances. House Bill 4158 primarily would amend the statute to allow for civil asset forfeiture only upon a criminal conviction for a violation of the Michigan Controlled Substances Act. This legislation would impede the Albion Department of Public Safety's ability to engage in forfeiture, which is likely to not only result in increases in the presence of illegal controlled substances as well as illegally obtained currency and property, but it will also likely have a detrimental financial effect on the department's ability to continue effective enforcement against illegal narcotics. The money obtained through asset forfeiture is used to fund illegal narcotics enforcement and the result will likely be less money for the public safety department to combat illegal drug use within the City of Albion. As such, it is recommended that the City of Albion oppose this legislation.

Council Member Spicer moved, supported by Council Member French, to approve the following resolution.

**RESOLVED**, that the Albion City Council views civil asset forfeiture as a vital and essential tool for Michigan's law enforcement agencies to combat crime;

**BE IT FURTHER RESOLVED**, that the amendments proposed by House Bill 4158 would serve to significantly impede the Albion Department of Public Safety's ability to complete civil forfeitures;

**BE IT FURTHER RESOLVED**, that the City of Albion opposes House Bill 4158 and hereby requests that the Michigan Senate Judiciary Committee not recommend the bill for passage;

Date: June 4, 2018

Ayes: 3

Nays: 4 (Brown, Spicer, Lawler, Mayor Brown)

Absent: 0

I certify that this resolution was adopted by the City Council of the City of Albion on June 4, 2018.

*Jill Domingo*  
Jill Domingo  
City Clerk