

# Maine earns a B+ for its civil forfeiture laws:

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Limited protections for the innocent: Third-party owners must prove their own innocence to recover seized property, unless a family's primary residence is at stake.
- No profit incentive, officially: All forfeiture proceeds are supposed to go to the general fund unless another transfer is specifically approved. However, reports indicate that almost no proceeds go to the general fund. (See, e.g., Neumann, D. (2018, Oct. 26). Maine law enforcement is keeping drug bust money meant for state general fund. *Maine Beacon*. <https://mainebeacon.com/maine-law-enforcement-is-keeping-drug-bust-money-meant-for-state-general-fund/>.)

## Recent Reforms

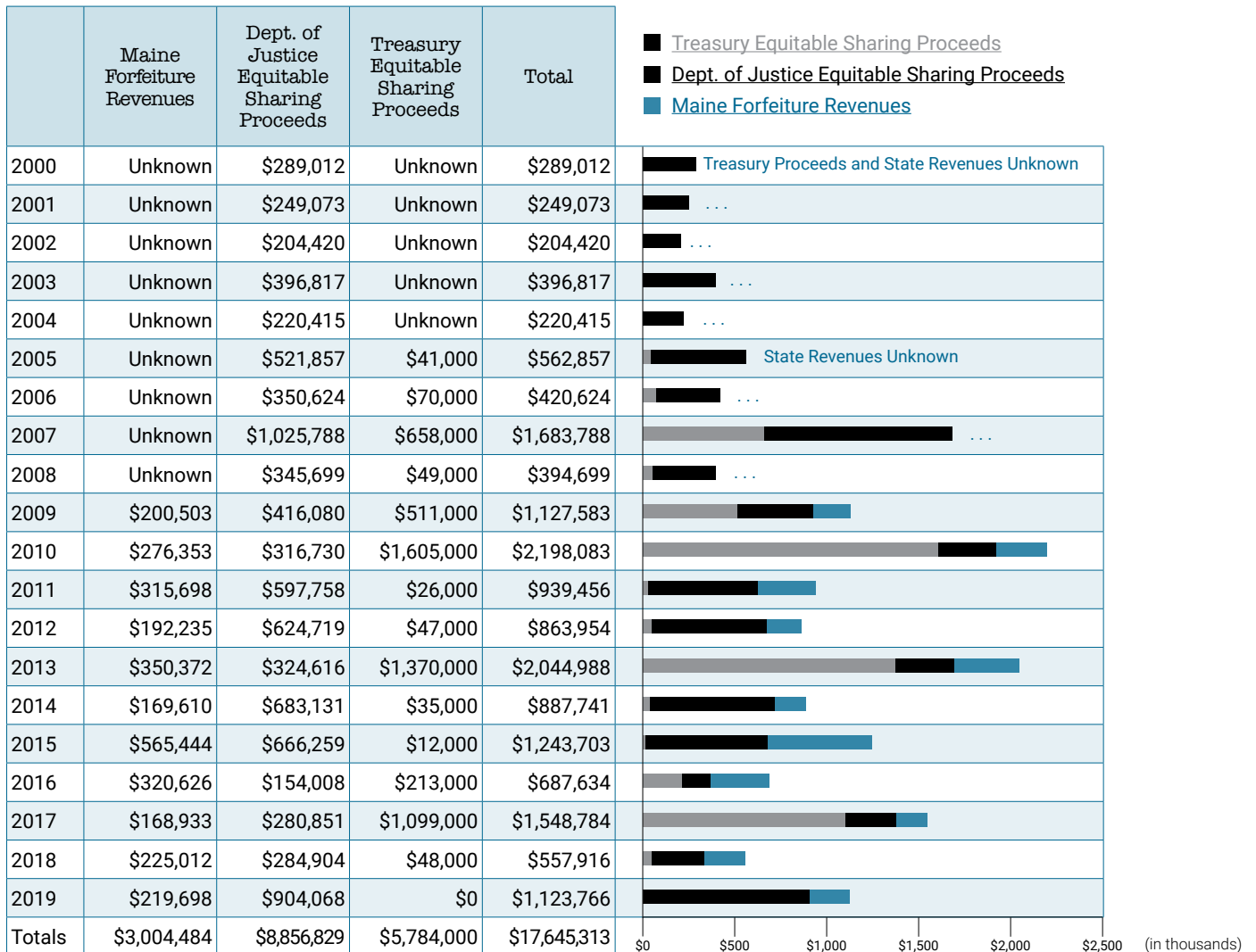
- None.

## State and Federal Forfeiture Revenues, 2000–2019

Between 2009 and 2019, Maine law enforcement agencies forfeited more than \$3 million under state law. Between 2000 and 2019, they generated an additional \$14 million from federal equitable sharing, for a total of at least \$17 million in forfeiture revenue. Maine ranks 6th for its participation in the Department of Justice's equitable sharing program. The state does not prevent state and local agencies from using equitable sharing to circumvent state forfeiture law.

**At least \$17 million  
in state and federal  
forfeiture revenue**

2000–2019



All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. Different state revenue sources for 2001–2013 and 2014–2019.

# Maine's Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	<b>D</b>	Accessibility of Forfeiture Records	<b>D</b>
Accounting for Forfeiture Fund Spending	<b>F+</b>	Penalties for Failure to File a Report	<b>Incomplete<sup>††</sup></b>
Statewide Forfeiture Reports	<b>F</b>	Financial Audits of Forfeiture Accounts	<b>F+</b>

<sup>†</sup> Maine agencies that receive forfeiture funds under the law's exceptions are not required to report how they spend them, nor does the state require audits of agency forfeiture funds.

<sup>††</sup> No reporting requirements to enforce.

For full transparency and accountability grades, visit [www.tj.org/TransparencyReportCards](http://www.tj.org/TransparencyReportCards).

## Forfeitures Under Maine Law: Key Facts

### Median Value

**\$1,670**

From 2015 to 2019, half of the Maine Attorney General's currency forfeitures were worth less than \$1,670.

### Property Types

**UNKNOWN**

Maine does not report the types of property forfeited.

### Civil vs. Criminal

**UNKNOWN**

Maine does not report whether forfeitures are processed under civil or criminal forfeiture law.

### Expenditures

**UNKNOWN**

Maine does not report how forfeiture funds are spent.

### Data Notes

No statewide records available. Figures for 2009 through partial 2014 represent forfeitures conducted by the Maine Drug Enforcement Agency and were obtained via public records request to the Maine Department of Public Safety. Figures for partial 2014 through 2019 represent forfeiture cases prosecuted by the Maine AG and were obtained via public records request to the AG. All figures are in calendar years and represent only forfeited currency. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, state figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data.