

Maryland earns a B+ for its civil forfeiture laws:

- Somewhat higher bar to forfeit: In general, prosecutors must provide clear and convincing evidence that property is connected to a crime. A very weak conviction provision requires conviction of the owner, or owners when they are a married couple, when a family’s primary residence is at stake.
- Limited protections for the innocent: Third-party owners must prove their own innocence to recover seized property, except in cases involving vehicles, real property or property related to drug transactions.
- No profit incentive: All forfeiture proceeds go to the general fund of the state or local governing body.

Recent Reforms

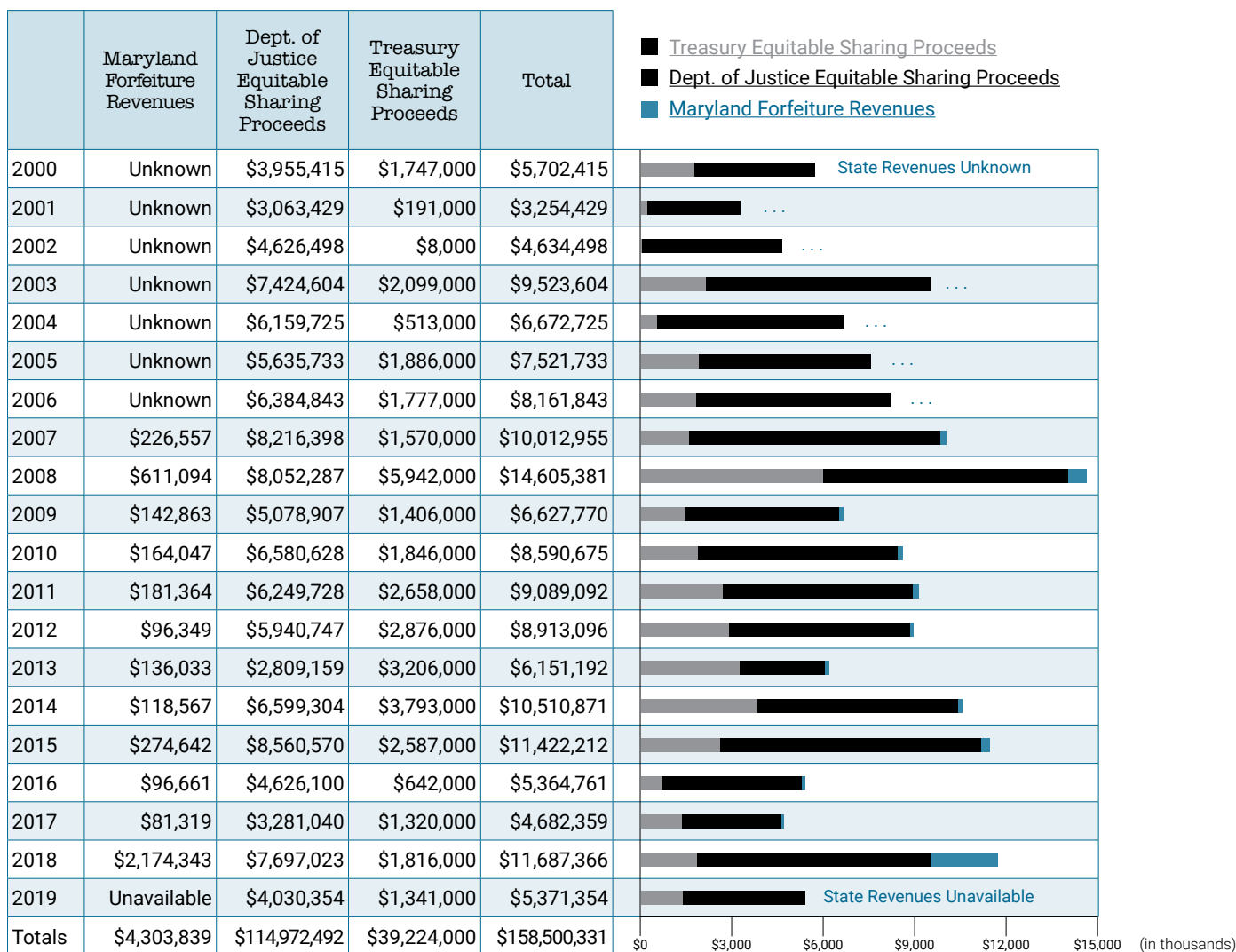
- (2016) HB 336 and SB 161: Raised standard of proof; shifted burden of proof from innocent owners to government; imposed new limits on participation in federal equitable sharing; adopted new transparency requirements; required receipts for seized property; instituted new deadlines for government to file for forfeiture or return seized property; banned forfeitures for minor drug possession; earmarked 20% of forfeiture proceeds for drug treatment and education programs.

State and Federal Forfeiture Revenues, 2000–2019

Between 2007 and 2018, Maryland law enforcement agencies forfeited more than \$4 million under state law. Between 2000 and 2019, they generated an additional \$154 million from federal equitable sharing, for a total of at least \$158 million in forfeiture revenue. Maryland ranks 32nd for its participation in the Department of Justice’s equitable sharing program. However, in 2016, the state prohibited federal forfeiture of locally seized property worth less than \$50,000 for equitable sharing.

**At least \$158 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 2007–2017 and 2018.

Maryland's Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Accessibility of Forfeiture Records	A
Accounting for Forfeiture Fund Spending	N/A[†]	Penalties for Failure to File a Report	D*
Statewide Forfeiture Reports	B	Financial Audits of Forfeiture Accounts	N/A[†]

[†] These grades are not applicable as Maryland does not permit law enforcement agencies to spend forfeiture revenue.

* Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

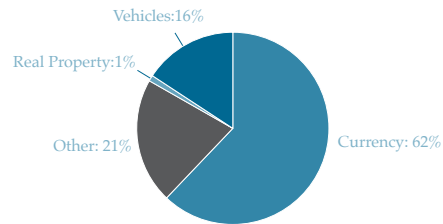
Forfeitures Under Maryland Law: Key Facts

Median Value



In 2018, half of Maryland's currency forfeitures were worth less than \$911.

Property Types



In 2018, 62% of Maryland's forfeitures were of currency.

Civil vs. Criminal

UNKNOWN

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

Expenditures

N/A

Maryland does not permit law enforcement agencies to spend forfeiture revenue.

Data Notes

Figures for 2007 through 2017 represent cash and proceeds from sales of property forfeited by the Maryland State Police and were obtained via public records request to MSP. Statewide property-level forfeiture data from 2018 are from the Governor's Office of Crime Control and Prevention website. Figures represent values of forfeited property. All figures are in calendar years. 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.