

Tennessee earns a **D-** 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: Generally, the government must prove third-party owners knew about criminal activity connected to their property, but owners must prove their own innocence in cases involving vehicles.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

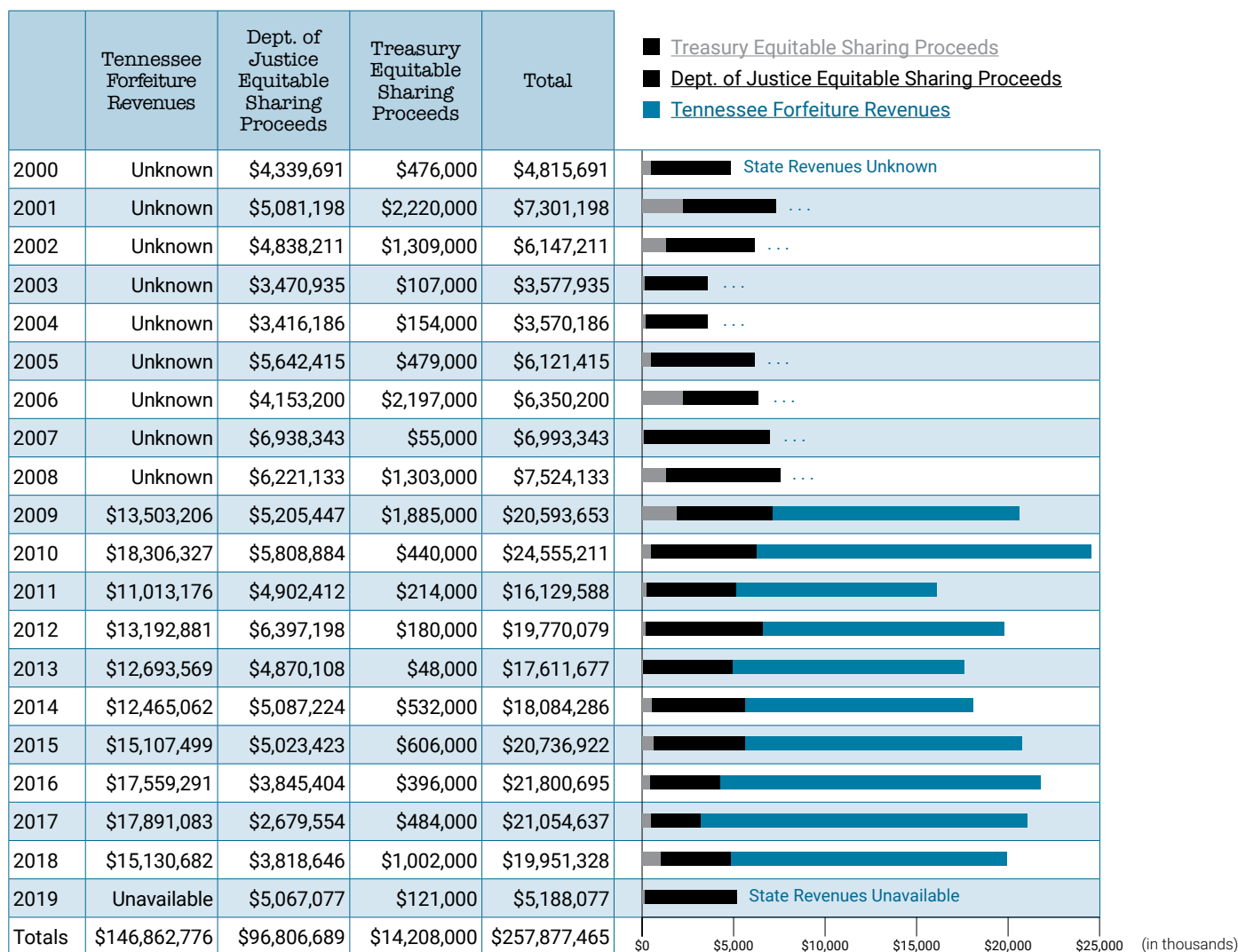
- (2018) HB 2021: Strengthened procedural safeguards for owners by ensuring that property owners get notice of post-seizure probable cause hearings (called forfeiture warrant hearings) and establishing a rebuttable presumption that claimed currency is not subject to forfeiture; created a right to attorney fees for owners whose property is ordered returned.
- (2018) SB 1877/HB 1243: Strengthened transparency requirements.
- (2016) HB 2176: Adopted new transparency requirements.

State and Federal Forfeiture Revenues, 2000–2019

Between 2009 and 2018, Tennessee law enforcement agencies forfeited more than \$146 million in cash under state law. Between 2000 and 2019, they generated an additional \$111 million from federal equitable sharing, for a total of at least \$257 million in forfeiture revenue. Tennessee ranks 24th 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 \$257 million
in state and federal
forfeiture revenue**

2000–2019



All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation.

Tennessee's Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Accessibility of Forfeiture Records	A
Accounting for Forfeiture Fund Spending	F	Penalties for Failure to File a Report	F
Statewide Forfeiture Reports	B	Financial Audits of Forfeiture Accounts	A

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

Forfeitures Under Tennessee Law: Key Facts

Median Value

\$675

From 2015 to 2018, half of Tennessee's currency forfeitures were worth less than \$675.

Property Types

UNKNOWN

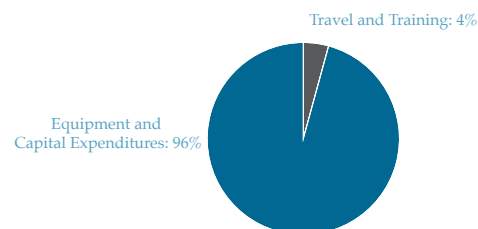
Tennessee property type data were not used for this report.

Civil vs. Criminal

UNKNOWN

Tennessee does not report whether forfeitures are processed under civil or criminal forfeiture laws.

Expenditures



In 2018, the Tennessee Department of Safety and Homeland Security spent \$148,784 from forfeiture funds—nearly all on equipment and capital expenditures.

Data Notes

Property-level forfeiture data were obtained from the Tennessee DSHS's forfeiture database via public records request. Proceeds represent only cash forfeited because although DSHS tracks non-cash forfeitures, it does not track proceeds from those forfeitures. Expenditures are from DSHS's website and represent only DSHS expenditures. 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.