

May 22, 2015

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed Senate Bill 528 – *Criminal Procedure – Seizure and Forfeiture*. This bill establishes a \$300 threshold before money can be seized under most circumstances; eliminates presumptions and alters certain burdens related to forfeiture of money, weapons, and proceeds; requires notice to the owner of seized property; and prohibits the transfer of seized property to the federal government unless there is a federal criminal charge or the owner consents.

Senate Bill 528, as amended, would greatly inhibit local law enforcement agencies from pursuing asset forfeiture from drug dealers. In addition, the bill poses new restrictions that would interfere with joint federal and State task forces investigating drug crimes. For these reasons, the Maryland State's Attorneys' Association, the Maryland Chiefs of Police Association, and the Maryland Sheriffs' Association have requested a veto of Senate Bill 528.

Moreover, Maryland is currently facing a heroin epidemic. The individuals involved in the manufacture and sale of drugs are profiting from the deaths and ruined lives they are creating. The asset forfeiture law helps to ensure that these criminals do not reap any economic benefit from their crimes. Further, persons who deal in illegal drugs also frequently deal in illegal weapons and human trafficking. If this bill becomes law, it would detrimentally impact law enforcement efforts to deal with these crimes as well.

Asset forfeiture laws can be abused by those in charge of their implementation. For this reason, I am directing the Governor's Office of Crime Control and Prevention and the Police Training Commission to form a working group to include, at a minimum, the Department of State Police, local law enforcement, the Maryland State's Attorneys' Association, the Office of Attorney General, and the Office of the Public Defender. The working group will also invite its federal partners, who would otherwise have been adversely affected by Senate Bill 528, to participate. This working group will review the current forfeiture law and, if warranted, make any recommendations for changes that prevent abuses, provide protections for innocent

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persons, and ensure that law enforcement has the necessary enforcement tools to fight illegal drugs.

For these reasons, I have vetoed Senate Bill 528.

Sincerely,

Governor Lawrence J. Hogan, Jr.