



U.S. Department of Justice

Asset Forfeiture Program

National Asset Forfeiture Strategic Plan 2008–2012



Taking the Profit Out of Crime





Table of Contents

Foreword from the Assistant Attorney General	3
Message from the Chief	5
Introduction	7
Elements of the Plan.....	9
Guiding Principles.....	11
Strategic Planning Working Group.....	13
Strategic Objective 1: Communication	15
Strategic Objective 2: Program Resources	23
Strategic Objective 3: Case Development and Execution.....	37
Strategic Objective 4: Program Growth	47
Appendix A: Program Participants.....	61
Appendix B: The Treasury Forfeiture Fund.....	75
Appendix C: Glossary and Abbreviations	77





Foreword from the Assistant Attorney General



“Taking the Profit out of Crime” is the theme of the *National Asset Forfeiture Strategic Plan (2008–2012)*. Tremendous sums of monies are generated from illegal activity every year, and asset forfeiture has become a vital weapon in the United States’ anti-crime arsenal to strip criminals of their illicit wealth. The formulation of this national strategy is the first time that a comprehensive plan has been drafted to enhance and coordinate the use of this critical law enforcement tool.

The Department of Justice is fully committed to using the asset forfeiture statutes to the fullest extent possible to investigate, identify, seize, and forfeit the assets of criminals and their organizations.

Today, there is legal authority to forfeit the proceeds of virtually all serious offenses including terrorism, drug trafficking, organized crime, child pornography, alien smuggling, human trafficking, white collar crime, and money laundering. The *National Asset Forfeiture Strategic Plan* seeks to develop and implement policies and procedures to ensure that asset forfeiture is an integral part of every investigation and prosecution.

The Asset Forfeiture Program has forfeited more than \$2 billion during the past two years—and is in the process of returning nearly \$700 million to victims of crime in FY 2007 alone. This is an important part of the Department’s Asset Forfeiture Program and one that cannot be underscored enough for victims of financial crime. This Strategic Plan seeks to highlight and expand the millions of dollars that are recovered and returned to victims of financial crimes every year through asset forfeiture.

The Asset Forfeiture Program is a top priority for both the Criminal Division and the Department of Justice. The Program and the *National Asset Forfeiture Strategic Plan* have my strong personal support. Taking the profit out of crime is important to the American public, to our international community faced with the globalization of transnational crime, and to our national security.

A handwritten signature in black ink, which appears to read "A. Fisher", is positioned above the printed name.

Alice S. Fisher
Assistant Attorney General
Criminal Division





Message from the Chief



Two years ago, a Strategic Planning Working Group was formed that included representatives from all the agencies and components participating in the United States Department of Justice's Asset Forfeiture Program (Program). This Working Group was created to develop a strategic plan that would allow the asset forfeiture community to speak with one unified voice and strengthen the Program. The *National Asset Forfeiture Strategic Plan* (Strategic Plan) builds on the successes and lessons learned during the past quarter century and strives to provide a strategic framework to enhance the capability, reach, and effectiveness of the Program for the next five years and beyond.

As a nationwide law enforcement initiative, the Program plays a critical and key role in disrupting and dismantling illegal enterprises, depriving criminals of the proceeds of illegal activity, deterring crime, and restoring property to victims. This Strategic Plan provides a framework for improving the Department of Justice's ability to track dirty money, forfeit illegally gained assets, and bring down the leaders of criminal organizations.

Organized criminals are motivated by one thing—profit. Greed drives the criminal. Huge sums of money are generated through drug trafficking, arms smuggling, white collar crime, human trafficking, corruption, and terrorism. The end result is that organized crime moves billions of illegally gained dollars into our nation's legitimate financial systems. The success of organized crime is based on its ability to launder money.

Investigating and forfeiting criminal assets can be a long, difficult, and complex process. It is critical to bear in mind, however, that it is more than a bloodless exercise in accounting. When the crime of money laundering is fought, organized crime is also fought. The fight against money laundering combined with the law enforcement tool of asset forfeiture accomplishes many important goals, such as: keeping drugs off of our playgrounds and away from our children; safeguarding the human dignity of women and children trafficked into forced labor and prostitution; and preventing the funding of terrorist activity.

The challenges facing law enforcement in today's environment are immense. We must provide our investigators and prosecutors all the legal and regulatory tools necessary to keep up with, and ahead of, those who launder the proceeds of crime. To effectively combat criminal activity, law enforcement must have the means that are at least as sophisticated, if not more so, than the criminals. The strategic use of asset forfeiture can provide critical assistance for overcoming these demanding challenges and ensuring there is no safe haven for criminal proceeds.

The Program has seen enormous success in the past two fiscal years, including the forfeiture of more than two billion dollars of assets. If we are to continue to be effective, we must think strategically. The stakes are indeed high. Our national security and the lives of Americans are at risk. We cannot and we will not fail in this important endeavor. Thank you for your support of our Program.

A handwritten signature in black ink, appearing to read "Richard Weber".

Richard Weber, Chief
Asset Forfeiture and Money
Laundering Section

Giving Back to the Community



The DEA, FBI, and Multnomah County Sheriff's Special Investigations Unit worked together to shut down a drive thru coffee shop that was being used as a front to sell pseudoephedrine to people manufacturing methamphetamine. The coffee shop, adjacent to an elementary school and across the street from a high school, was transferred to the Southeast Uplift Neighborhood Program for use as a community center in Portland, Oregon. Local law enforcement officials presented the building's title and keys to the Southeast Uplift Neighborhood Program. From left to right, DEA ASAC Lori Cassity, State Representative Steve March, Multnomah County Sheriff Bernie Guisto, neighborhood resident Brad Mersereau, Chairman of the Southeast Uplift Neighborhood Program Paul Leistner, Executive Director of the Southeast Uplift Neighborhood Program Cece Hughley Noel, FBI ASAC Dan Nielsen, U.S. Marshal Dennis Merrill, and U.S. Attorney Karin Immergut.



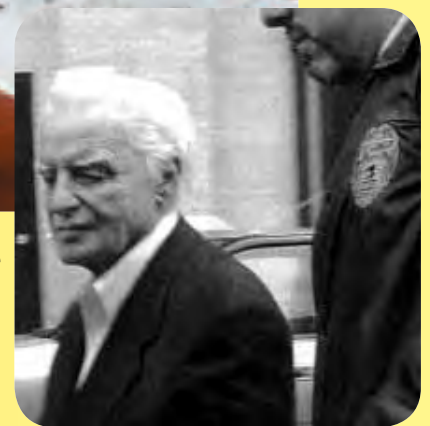
Introduction

The Asset Forfeiture Program (the Program) is a nationwide law enforcement initiative that removes the tools of crime from criminal organizations, deprives wrongdoers of the proceeds of their crimes, recovers property that may be used to compensate victims, and deters crime. As the Program has grown and matured, asset forfeiture has been used to attack the financial infrastructure of criminal enterprises, return funds to victims of large-scale fraud, and share forfeited property with state and local law enforcement agencies.

Under the leadership of Chief Richard Weber, the Asset Forfeiture and Money Laundering Section (AFMLS) initiated a strategic planning process to carefully look at the Program. Representatives from the asset forfeiture community worked together to develop this *National Asset Forfeiture Strategic Plan* (hereafter, the Plan). The Plan is the first-of-its-kind for the Program and is designed to:

- provide a strategic framework to enhance the capability, reach, and effectiveness of the Program;
- provide direction to the asset forfeiture community to ensure that the Program's mission is carried out effectively and efficiently;
- enable Program participants to manage and expand this important and vital law enforcement tool;
- ensure maximum participation by all Program participants and determine appropriate areas of growth; and
- advocate for the resources needed to support and grow the Program.

Returning Proceeds to Victims of Corporate Fraud



An investigation conducted by the U.S. Postal Inspection Service and U.S. Attorney's Office in the Southern District of New York revealed that Adelphia Communication Corporation's officers, including its 79-year-old founder John J. Rigas, took funds disguised as personal loans from the corporation. The scheme resulted in losses of \$252 million to shareholders of this large cable television company. Following an extensive investigation, the company's officers were convicted of conspiracy and multiple counts of securities fraud and bank fraud. Adelphia officers' have agreed to forfeit \$715 million in cash and stock that will be disbursed to victim shareholders. The dedicated postal inspectors, paralegals, and attorneys who worked tirelessly on the investigation and prosecution of this case are pictured above. From left to right, AUSA R.D. Owens, Paralegal Jill Ottenberg, AUSA C.J. Clark, Postal Inspector Kurt Roinestad, Paralegal Margaret Lee, and former Postal Inspector Thomas Feeney.



Elements of the Plan

Program Mission

The Strategic Planning Working Group (hereafter, the Working Group) began the strategic planning process by identifying the role the Program plays in the Department of Justice's law enforcement efforts. The following mission statement was developed to describe the Program's fundamental purpose and its day-to-day focus:

To use asset forfeiture consistently and strategically to disrupt and dismantle criminal enterprises, deprive wrongdoers of the fruits and instrumentalities of criminal activity, deter crime, and restore property to crime victims while protecting individual rights.

Program Vision

After the Working Group developed a mission statement to describe the day-to-day operations of the Program, the Working Group shifted its focus to the future. Discussions centered on the next 5, 10, and 25 years, as well as the Program's ultimate objective. The following vision statement was developed to describe the aspirations of the Program:

To ensure that crime does not pay, the Department of Justice Asset Forfeiture Program will lead law enforcement to make the tracing and recovery of assets an integral part of every prosecution for the benefit of the American people.

Strategic Objectives

The Plan consists of four strategic objectives that provide focus for achieving the Program's mission and vision. The strategic objectives define, at a broad level, what the Program will do to increase the effectiveness of asset forfeiture. The strategic objectives are listed below:

- **Communication**
Communicate the benefits and accomplishments of the Program to law enforcement leadership, government leaders, and the American public
- **Program Resources**
Obtain the funding and tools required to sustain and enhance asset forfeiture investigations, prosecutions, and Program operations
- **Case Development and Execution**
Integrate asset forfeiture in all appropriate investigations and cases
- **Program Growth**
Expand partnerships with foreign, state, and local governments; regulatory agencies; and the private sector to increase the effectiveness of asset forfeiture as a law enforcement tool

Goals

Each strategic objective contains goals. The goals are statements that specify how the Program will achieve its strategic objectives. The goals are listed and explained in the introduction to each strategic objective.

Tactics

Each goal contains numerous tactics. The tactics are actions the Program must complete to accomplish each goal. The Plan contains 91 tactics. Of these, 32 have been identified by Chief Richard Weber as Program priorities that will be implemented first. A complete list of tactics can be found in the implementation section of each strategic objective.

Action Steps

The action steps are the most granular part of the Plan. These steps provide the Program with a step-by-step list of tasks to be completed during the implementation process. The action steps follow each tactic in the implementation section.



Following an extensive investigation, several properties forfeited from a drug trafficking organization in the South Haven neighborhood of Tulsa, Oklahoma were converted into single-family homes. Gary Casteel, Executive Director for Habitat for Humanity, receives the deeds to nine parcels of real property from United States Attorney David E. O'Meilis, Northern District of Oklahoma.



Guiding Principles

During the development of the Plan, the Working Group identified the following guiding principles that drive and shape Program operations:

- **Lead law enforcement**
We must be ambassadors into the broader law enforcement community so that the recovery of assets becomes an integral part of every law enforcement action.
- **Partner and collaborate**
We must continue our efforts to be a model of law enforcement collaboration.
- **Reduce crime**
We must make a discernable difference in improving community safety by taking away and reinvesting the proceeds of crime into state and local law enforcement.
- **Restore property to crime victims**
We must protect the citizens of our communities by compensating the victims of crime.
- **Measure the impact**
We must demonstrate progress by assessing performance towards the mission and vision.



Proceeds from the sale of forfeited property are distributed to state and local law enforcement agencies through the Equitable Sharing Program. Shared monies may be used to purchase law enforcement equipment such as this mobile command center used by the Arizona Counter Narcotics Alliance, a multi-jurisdictional drug task force comprised of 18 law enforcement agencies.

Leading the Law Enforcement Community



Senior leaders from the Department of Justice, ATF, DEA, FBI, USMS, ICE, IRS-CI, and Coast Guard emphasized the essential role the Program and the Organized Crime Drug Enforcement Task Forces (OCDETF) play in leading a coordinated, intelligence-driven attack against major drug trafficking and money laundering organizations at the 2007 OCDETF/Asset Forfeiture National Leadership Conference. OCDETF Director Stuart Nash (left) and AFMLS Chief Richard Weber (right) co-chaired this important conference.



Strategic Planning Working Group

Richard Weber

Chief
Asset Forfeiture and
Money Laundering Section

Alice W. Dery

Special Counsel to the Chief
Asset Forfeiture and
Money Laundering Section

Lester M. Joseph

Principal Deputy Chief
Asset Forfeiture and
Money Laundering Section

Special Advisors

Stuart G. Nash

Associate Deputy Attorney General
Director, Organized Crime
Drug Enforcement Task Forces

The Honorable Frank D. Whitney

Former U.S. Attorney
Eastern District of North Carolina
(Participation October 2005 to May 2006)

Working Group Members

Susan Ashcraft

Chief, Domestic Asset Forfeiture Section
Drug Enforcement Administration

Douglas Bruce

Branch Chief, Criminal Intelligence
and Research Branch
Diplomatic Security Service
United States Department of State

Regina Bullock

Forfeiture Program Administrator
Asset Forfeiture Program
United States Postal Inspection Service

Richard Cohen

Assistant U.S. Attorney
United States Attorney's Office
Western District of Washington

Anita Cream

Assistant U.S. Attorney
United States Attorney's Office
Middle District of Florida

Katherine Deoudes

Chief, Asset Forfeiture Office (retired)
United States Marshals Service

Geneva Dunaway

Special Agent-in-Charge
Asset Forfeiture and Seized Property Branch
Bureau of Alcohol, Tobacco, Firearms
and Explosives

Michael Fleming

Detective Lieutenant
Nassau County Police Department

Katharine Goepf

Trial Attorney
Asset Forfeiture and
Money Laundering Section

G. Wingate Grant

Assistant U.S. Attorney
United States Attorney's Office
Eastern District of Virginia

Harry Harbin

Acting Deputy Chief, Legal Policy Unit
Asset Forfeiture and
Money Laundering Section

John Hieronymus

Forfeiture Counsel
Drug Enforcement Administration

Richard Hoffman

Assistant U.S. Attorney
United States Attorney's Office
District of Massachusetts

Michael P. Iannotti

Asset Forfeiture/Money Laundering Coordinator
Office of Legal Programs and Policy
Executive Office for United States Attorneys

Stephen Jobe
Acting Unit Chief
Legal Forfeiture Unit
Federal Bureau of Investigation

Dace Krastkalns
Supervisory Administrative
Management Specialist
Asset Forfeiture and
Money Laundering Section

Courtney Linn
Assistant U.S. Attorney
United States Attorney's Office
Eastern District of California

Robert Marca
Assistant Director, Budget and Finance
Asset Forfeiture Management Staff
Justice Management Division

Eben Morales
Chief
Asset Forfeiture Office
United States Marshals Service

Candace Olds
Director
Asset Forfeiture Management Staff
Justice Management Division

Mike Perez
Director (retired)
Asset Forfeiture Management Staff
Justice Management Division

Matthew S. Rasnake
Acting Unit Chief
Forfeiture and Seized Property Unit
Federal Bureau of Investigation

Dwight Rawls
Senior Operations Manager
Office of Criminal Investigations
Food and Drug Administration

Frances Reddis
Assistant U.S. Attorney
United States Attorney's Office
Western District of Missouri

Nancy Rider
Deputy Chief, Asset Forfeiture Program Unit
Asset Forfeiture and
Money Laundering Section

James Russell
Assistant U.S. Attorney
United States Attorney's Office
District of Colorado

Wendy Taylor
Management Analyst
Asset Forfeiture and
Money Laundering Section

Lisa Trueblood
FSA Training Technician
Asset Forfeiture and
Money Laundering Section

Nora Waldren
Senior Program Manager (retired)
Asset Forfeiture and
Money Laundering Section

Sharon Weinstein
Senior Program Analyst
Office of the Inspector General
United States Department of Agriculture

Steven Welk
Assistant U.S. Attorney
United States Attorney's Office
Central District of California

Leslie Westphal
Assistant U.S. Attorney
United States Attorney's Office
District of Oregon

Norman Wong
Assistant Director
Office of Legal Programs and Policy
Executive Office for United States Attorneys



U.S. Department of Justice
Asset Forfeiture Program

Strategic Objective 1

Communication



Keeping Abreast of New Forfeiture Trends



Bringing together Program participants provides a forum for identifying, discussing, and resolving a variety of issues. Asset forfeiture chiefs and experts met in Columbia, South Carolina to discuss asset forfeiture law, practice, and policy.



Communication

Communicate the benefits and accomplishments of the Program to law enforcement leadership, government leaders, and the American public

For the Program to achieve its mission, communication must effectively occur with senior Department of Justice leadership, within each organization participating in the Program, between organizations (both within and outside the Program) and with the public at large. The fundamental benefit of this communication strategic objective is that the Program will be more fully understood, will be supported by the leadership of the Program participants and the American public, and will grow as needed to continue to meet its mission in an increasingly global environment. The following goals have been established to guide the Program's efforts toward realizing the communication strategic objective:

- **Goal 1.1: Senior Leadership Support**
Communicate that asset forfeiture is an important and essential law enforcement tool
- **Goal 1.2: Law Enforcement Communications**
Improve communication among all law enforcement entities to increase awareness of forfeiture operations, policies, and available resources
- **Goal 1.3: Community Outreach and Public Awareness**
Implement a community outreach and public awareness campaign

Senior leadership support of the Program is essential to the overall vision of the Program which states "...the Department of Justice Asset Forfeiture Program will **lead** law enforcement to make the tracing and recovery of assets an integral part of every prosecution..." (Emphasis added.) In order to lead a Program, leaders need information. How, when, and what information is communicated is an important component in achieving Goal 1.1 of this strategic objective. Establishing a communications protocol between Program leaders and Departmental leadership is vital to the Program to ensure that information is communicated about accomplishments, initiatives, practices, and policies. In turn, this information helps leaders become advocates for the Program and establishes more rigorous requirements for ensuring that asset forfeiture is integrated in all investigations and cases where appropriate. Likewise, communicating the information in an annual report becomes a critical piece of advocacy for the Program both internally and externally.

Communication is necessary and vital among the Program participants. Expanding on current communication mediums and developing new ones will make the Program stronger and more effective. Web sites, working groups, and regularly scheduled meetings in the judicial districts are examples of successful forums of communication currently in existence. Improving access to current Program Web sites and creating a central Web site accessible by all Program participants is imperative in our computer-driven work environments. Identifying and communicating the Program's best practices, standard operating procedures, and policies are primary to creating a successful Program. Likewise, identifying barriers to communication such as systems that will not

“talk to one another” or require the redundant input of data need to be addressed so that valuable time and limited resources in the Program are not wasted. Additionally, using these important communication tools to provide information on the use of forfeiture to recover victims’ assets is essential to successfully accomplishing the Program’s mission and vision.

The American public must also see how asset forfeiture is a necessary tool in fighting the increasingly global nature of crime. Educating professional associations, law schools, trade groups, and other organizations about asset forfeiture and money laundering is vital to the growth and success of the Program. Communicating information about the Program through the media, public Web sites, presentations to national, state, and local community groups and organizations, and publications are important action items in achieving Goal 1.3 in the communication strategic objective. Ultimately, communication is essential for the Program to obtain both the recognition for its successes and the resources required to accomplish its mission and vision.



The Program exhibits at national conferences for state and local law enforcement. Exhibiting at the National Sheriffs’ Association (NSA) and International Association of Chiefs of Police (IACP) annual conferences provides a forum for disseminating information about the Program, equitable sharing, and available training opportunities.



Implementing the Communication Strategic Objective

In order to achieve the communication strategic objective, the Program will pursue the following goals and tactics. Priority tactics are indicated by the ★ symbol.

Goal 1.1: Senior Leadership Support

Communicate that asset forfeiture is an important and essential law enforcement tool

- ★ 1. Develop channels and clarify protocols for communicating with and among the leadership in the Department and the Program participants about asset forfeiture
 1. Identify existing channels of communication between senior Department leadership and Program participant management
 2. Develop a protocol for communicating asset forfeiture information to Department leadership and Program participant management
 3. Approve and implement the communication protocol among all Program participants
 4. Review and update the communication protocol on an annual basis
- ★ 2. Issue an annual report on the accomplishments of the Program
 1. Establish and communicate a process for collecting Program statistics, successful cases, initiatives, news articles, and other media
 2. Develop and publish a monthly report on Program successes
 3. Develop an annual report on Program accomplishments
 4. Distribute the annual report to senior Department leadership and all Program participants
 5. Distribute the annual report to state and local law enforcement organizations
 6. Include this annual report with the financial annual report to Congress
 7. Release the annual report to the public
3. Brief the Attorney General (AG) and the Deputy Attorney General (DAG) on the integral role asset forfeiture plays in achieving the Department's law enforcement objectives
 1. Prepare a memorandum and briefing that describes the role asset forfeiture plays in achieving the Department's law enforcement objectives and identifies recent Program successes
 2. Deliver the briefing
 3. Institutionalize the annual briefing

4. Recommend that the AG declare that the pursuit of the proceeds and instrumentalities of crime is a critical aspect of every investigation


1. Provide the AG with talking points that emphasize how asset forfeiture is integrated into key initiatives
2. Request that the AG issue a communique to all Program participant heads regarding the pursuit of asset forfeiture in every investigation, where appropriate
3. Provide the AG with talking points that emphasize how asset forfeiture is integrated into current initiatives

5. Ensure that Program participant leadership and the Attorney General's Advisory Committee (AGAC) communicate the importance of developing and prosecuting forfeiture cases

1. Develop talking points and brief Program participant leadership on the current asset forfeiture issues and the importance of developing and prosecuting forfeiture cases
2. Develop talking points and brief the AGAC on the current asset forfeiture issues and the importance of developing and prosecuting forfeiture cases
3. Request that Program participant leadership issue a communique to their field offices on the importance of developing and prosecuting forfeiture cases
4. Develop and distribute communication tools and job aids to be used to communicate the importance of developing and prosecuting forfeiture cases

Goal 1.2: Law Enforcement Communications

Improve communication among all law enforcement entities to increase awareness of forfeiture operations, policies, and available resources

 1. Establish a central Web site that is accessible by all Program participants to communicate information regarding national, departmental, and agency policies and priorities affecting forfeiture

1. Collect information on national, departmental, and agency forfeiture policies and priorities
2. Develop the technical specifications and design for a central Web site that is accessible by all Program participants
3. Identify the asset forfeiture content to be included on the central Web site
4. Identify and obtain the in-house or contractor resources needed to develop the Web site
5. Develop the Web site interface and post content
6. Update departmental and agency forfeiture policies and priorities on the Web site



2. Establish regularly scheduled district U.S. Attorney's Office (USAO)/agency meetings to facilitate communication and to address problems
 1. Establish and conduct quarterly USAO/agency meetings in all districts
 2. Develop monthly reports on asset forfeiture success stories and legislative updates to be distributed to the USAOs and agencies

3. Maximize the use of existing forums — such as working groups, domestic and international conferences, training programs, and Asset Forfeiture and Money Laundering (AFML) Online — to provide information on resources and best practices
 1. Develop a comprehensive list of existing forums that are appropriate for communicating information on resources and best practices pertaining to case development and execution
 2. Develop and implement an action plan to ensure the most effective use of identified forums
 3. Develop communication tools and job aids to share information and institutionalize best practices


4. Communicate to all Program participants information on standard operating procedures (SOPs), protocols, policies, and guidelines implemented as a result of this Plan
 1. Establish and communicate reporting requirements to measure work accomplished as a result of the strategic plan
 2. Collect and review information reported
 3. Establish a list of appropriate venues and timeframes for sharing information on SOPs, protocol, policy, and guidance
 4. Regularly report information based on established venues and timeframes

5. Identify barriers to communication such as conflicting policies, systems that will not "talk" to one another, organizational issues, etc., and take steps to dismantle barriers
 1. Develop a plan for addressing identified communication barriers based on assessment results
 2. Implement a plan for addressing identified communication barriers based on assessment results

6. Maximize the use of existing forums — such as Working Groups, training programs, Web sites, and publications — to provide information on the use of forfeiture to recover victims' assets
 1. Develop a comprehensive list of existing forums that are appropriate for communicating information on the use of forfeiture to recover victims' assets
 2. Develop and implement an action plan to ensure the most effective use of identified forums
 3. Develop communication tools and job aids on the use of forfeiture to recover victims' assets

Goal 1.3: Community Outreach and Public Awareness

Implement a community outreach and public awareness campaign

1.  Develop an outreach program to educate professional associations, law schools, trade groups, and other organizations about asset forfeiture and money laundering
 1. Develop a list of all Program participants' existing community outreach programs and citizen academy programs
 2. Develop a list of organizations to be targeted by the outreach program
 3. Develop content, educational tools, and materials tailored to the target audience groups
 4. Implement the outreach program and distribute educational tools and materials to the selected target audience groups
 5. Assess effectiveness of the outreach program and update target audience groups and materials as needed
2. Publicize the benefits of asset forfeiture through the media
 1. Create and distribute an asset forfeiture press packet for personnel who handle press releases and who are involved with asset forfeiture
 2. Request that public relations offices include asset forfeiture in press releases on law enforcement operations that involve significant asset forfeiture activities
3. Post information on Program participant public Web sites to provide general information about asset forfeiture, significant cases, initiatives, and benefits to the American public
 1. Update or incorporate general information about asset forfeiture and its role in fighting crime on the public Web sites of all Program participants
 2. Update all Program participant Web sites on a quarterly basis to highlight significant forfeiture cases, initiatives, and benefits to the American public
 3. Post the annual report on all Program participants' public Web sites



U.S. Department of Justice
Asset Forfeiture Program

Strategic Objective 2

Program Resources



Focusing on Financial Investigations



At the OCDETF/AFMLS Financial Investigations Seminar, participants conduct an in-depth, detailed financial investigation involving illegal drug distribution. Through a comprehensive, video-based case study, the seminar provides participants with techniques and strategies to develop a financial investigation.




Program Resources

Obtain the funding and tools required to sustain and enhance asset forfeiture investigations, prosecutions, and Program operations

The expansion of resources from the Assets Forfeiture Fund (hereafter, the Fund) and appropriated monies is a critical cornerstone of this Plan. Strong program resources enable the Program to hire qualified personnel to investigate and prosecute asset forfeiture cases, develop and integrate information technology systems, and provide Program participants with the training needed to carry out the Program's mission and achieve its vision. The following goals have been established to guide the Program's efforts toward realizing the program resources strategic objective:

- **Goal 2.1: Expanded Use of the Fund**
Expand the use of the Fund to enhance the Program
- **Goal 2.2: Resource Allocation Process**
Develop and implement a resource allocation process that is fair, equitable, and transparent
- **Goal 2.3: Budget and Appropriations**
Advocate for additional funding through the budgetary and appropriations process
- **Goal 2.4: Information Technology Systems**
Review and enhance the systems that track assets, cases, victims, and resources
- **Goal 2.5: Staffing Guidelines**
Develop model staffing guidelines
- **Goal 2.6: Recruitment and Retention**
Establish recruitment and retention guidelines to hire personnel with specialized skills, experience, and the aptitude necessary for asset forfeiture and financial investigations
- **Goal 2.7: Training**
Provide comprehensive and continual training and education in asset forfeiture, money laundering, and financial investigations

In recent years, the Organized Crime Drug Enforcement Task Force (OCDETF) and agencies such as the Drug Enforcement Administration (DEA) have made the investigation and prosecution of the financial infrastructure of drug organizations a top priority. The Program has also seen expansive growth in the use of forfeiture to recover victims' assets. As the use of asset forfeiture increases, it is imperative that the Program have the agents, investigators, financial analysts, paralegals, and prosecutors needed to develop and execute asset forfeiture investigations and cases. One way the Program can increase its human resources is to expand the use of the Fund. Currently, Program participants use appropriated monies to pay the salaries of government personnel performing asset forfeiture functions. Goal 2.1 focuses on obtaining a waiver from the Attorney General to use monies from the Fund to hire Special Assistant United States Attorneys



(SAUSAs) and government attorneys to handle forfeiture work in victims' cases and to support Suspicious Activity Report (SAR) Review Teams. Furthermore, this goal proposes using monies from the Fund to hire government paralegals and contract financial analysts to support asset forfeiture cases in the USAOs. It is also important that the Program supplement the workforces of the investigative agencies. Agents, investigators, and financial analysts dedicated to developing and conducting asset forfeiture cases are necessary for the successful implementation of this Plan.

Program participants use federal appropriations and allocations from the Fund for the operating costs of their asset forfeiture programs. Goal 2.2 seeks to create a resource allocation process that is fair, equitable, and transparent. As the Program has grown, the monies needed to support Program operations have increased. The Program must assess the workload and resource needs of all Program participants to ensure they receive the funds needed for investigative expenses, case-related expenses, asset management and disposal, and training. Once this assessment is complete, the Program can develop and implement a resource allocation process that provides Program participants with the monies needed to support their asset forfeiture investigations and prosecutions.

The development of a new resource allocation process will be helpful for accomplishing Goal 2.3. Once the Program has assessed the workload of all Program participants, it can determine where there are personnel shortages and advocate for additional federally appropriated funds. As new trends and cases emerge in asset forfeiture and money laundering, the Program needs more personnel with specialized expertise to support these efforts. Advocating for additional funding to hire agents, prosecutors, and paralegals is necessary for those offices whose personnel resources have not kept pace with growth in their asset forfeiture cases.

The Program relies on a number of Information Technology (IT) systems to track assets, cases, victims, and resources. To ensure that the tracking systems are efficient and effective, the Program must identify desired capabilities. Implementing a five-year IT plan will enable the Program to identify system deficiencies, eliminate redundant data entry, and streamline various data processing efforts. Accomplishing Goal 2.4 is important for improving the Program's tracking systems and collecting statistical information.

To accomplish Goal 2.5, the Program will implement regularly scheduled human capital assessments to evaluate productivity, workload, and need. These assessments will allow the Program to identify resource gaps and determine what personnel are needed to accomplish the Program's mission. Once model staffing guidelines have been established, the Program will encourage the inclusion of asset forfeiture in performance work plans for all Program participant line and supervisory personnel. The Program will also establish a performance management system that fairly and objectively measures and rewards excellent performance. As many Program leaders approach retirement, it will be critical for the Program to create and devise succession plans to minimize the effect of the loss of experienced leaders.

While the creation of model staffing guidelines will identify the personnel needed to achieve the Program's mission, it is important that the Program assess the required competencies and deficiencies in the knowledge, skills, and abilities of the current workforce. The results of this assessment will identify the skill sets still needed and the availability of potential candidates who may already possess these skills.




Accomplishing Goal 2.6 requires that the Program establish a competency-based approach to recruitment and training. Developing this approach will allow the Program to hire personnel with specialized skills, experience, and aptitude necessary for asset forfeiture cases and financial investigations.

To reinforce and modernize skill sets, the Program must provide comprehensive, continual, and cross-component training on asset forfeiture, money laundering, and financial investigations. To accomplish Goal 2.7, the Program must first assess the new hire and continuing education curricula to determine whether all necessary skill sets are being taught and that these skills are transferred to the workplace. The Program must also update training curricula to address changing asset forfeiture laws, practices, and policies. This should include the development of an asset forfeiture trial advocacy course for all prosecutors. To ensure training dollars are well spent, the Program needs to conduct post assessments of all updated or new asset forfeiture curricula. Additionally, the Program should also develop asset forfeiture training for U.S. Attorneys, judges, agents, investigators, and Assistant United States Attorneys (AUSAs) outside the Program. In doing so, this will ensure that asset forfeiture is integrated into all investigations and cases.




Joint investigations by the USDA-OIG, IRS-CI, and U.S. Secret Service in Chicago revealed grocery store owners engaging in food stamp trafficking schemes that defrauded U.S. taxpayers of millions of dollars. USDA's Food Stamp Program provides recipients with monthly benefits that may be used to purchase eligible food products from authorized retail stores. In these cases, the grocery store owners submitted millions of fraudulent food stamp transactions to USDA for payment. Assets acquired with funds from these schemes will be forfeited so that the store owners do not profit from their fraudulent activity.

Implementing the Program Resources Strategic Objective


In order to achieve the program resources strategic objective, the Program will pursue the following goals and tactics. Priority tactics are indicated by the  symbol.

Goal 2.1: Expanded Use of the Fund


Expand the use of the Assets Forfeiture Fund to enhance the Program

-  1. Seek a waiver to hire SAUSAs and government attorneys in the USAOs and the Criminal Division to handle criminal and civil forfeiture work in victims' cases

1. Prepare the position paper
2. Review plan
3. Secure support from the AGAC and DAG
4. Secure AG approval
5. Allocate positions
6. Hire SAUSAs and government attorneys


-  2. Seek a waiver to hire SAUSAs and government attorneys to support SAR Review Teams

1. Prepare the position paper
2. Review the plan
3. Secure support from the AGAC and DAG
4. Secure AG approval
5. Allocate positions
6. Hire SAUSAs and government attorneys

-  3. Seek a waiver to hire paralegals to conduct asset forfeiture work in the USAOs

1. Prepare the position paper
2. Review the plan
3. Secure support from the AGAC and DAG
4. Secure AG approval
5. Allocate positions
6. Hire paralegals



 4. Hire contract financial analysts to support asset forfeiture cases in the USAOs

1. Prepare budget proposal and justification
2. Review budget proposal
3. Secure DAG approval
4. Determine allocation procedures
5. Hire financial analysts

5. Hire Deputy United States Marshals to serve as inter-agency liaisons and to carry out pre-seizure planning, asset analysis, and seizure operations

1. Prepare position paper
2. Review plan
3. Secure support of the Director of the USMS and DAG
4. Secure AG approval
5. Determine allocation procedures
6. Hire Deputy U.S. Marshals

6. Hire analysts to support financial investigations in investigative agencies

1. Prepare position paper
2. Review plan
3. Secure support of agency head and DAG
4. Secure AG approval
5. Determine allocation procedures
6. Hire financial analysts and investigators

Goal 2.2: Resource Allocation Process

Develop and implement a resource allocation process that is fair, equitable, and transparent

- ★ 1. Require that Program participants annually report all funding sources that support their asset forfeiture programs

1. Design and distribute a form to collect information on funding sources
2. Complete and return the form
3. Collect and analyze data

2. Assess the workload and resource needs of Program participants annually

1. Design and distribute a form to collect information on workload and resource needs
2. Complete and return the form
3. Identify available Consolidated Asset Tracking System (CATS) data related to productivity and workload
4. Analyze the data and make recommendations regarding the resource allocation process

3. Develop the resource allocation process

1. Design the resource allocation process
2. Develop guidance to support the allocation process
3. Implement the process
4. Evaluate the effectiveness of the resource allocation process.

4. Assure compliance with the resource allocation process

1. Develop a compliance process
2. Develop program compliance procedures
3. Conduct compliance reviews
4. Publish an audit report



Goal 2.3: Budget and Appropriations

Advocate for additional funding through the budgetary and appropriations process

- ★ 1. Advocate for appropriated funding to hire agents to support asset forfeiture cases in the USAOs and the Criminal Division

1. Gather data to justify positions
2. Prepare budget proposal
3. Seek the support of Program participant leadership
4. Secure AG approval
5. Allocate positions
6. Hire agents

2. Advocate for appropriated funding to hire prosecutors to support asset forfeiture cases in the USAOs and the Criminal Division

1. Gather data to justify positions
2. Prepare budget proposal
3. Seek the support of Program participant leadership
4. Secure AG approval
5. Allocate positions
6. Hire prosecutors

3. Advocate for appropriated funding to hire paralegals to support asset forfeiture cases in the USAOs and the Criminal Division

1. Gather data to justify positions
2. Prepare budget proposal
3. Seek the support of Program participant leadership
4. Secure AG approval
5. Allocate positions
6. Hire paralegals

Goal 2.4: Information Technology Systems

Review and enhance the systems that track assets, cases, victims, and resources

1. Conduct an assessment of existing data collection and tracking systems to identify desired capabilities, system deficiencies, and recommendations for improvements

1. Design assessment
2. Conduct assessment
3. Develop findings and recommendations
4. Seek feedback from Program participants
5. Seek approval for recommendations
6. Implement recommendations

2. Develop and implement a five-year asset forfeiture IT plan

1. Identify participants for the IT Working Group
2. Develop the five-year IT plan based on the results of the various assessments being conducted
3. Determine budget in order to seek consistent funding via the Fund
4. Seek necessary approvals
5. Implement the plan

3. Eliminate redundant data input among various systems

1. Review the Data Collection and Tracking System Assessment to determine if and how redundant data systems can be eliminated
2. Implement the recommendations from the Data Collection and Tracking System Assessment



Goal 2.5: Staffing Guidelines

Develop model staffing guidelines

★ 1. Develop model staffing guidelines based on best practices in staffing

1. Conduct an analysis to determine model staffing metrics
2. Develop and pilot model staffing guidelines
3. Implement model staffing guidelines

★ 2. Create and devise succession plans to minimize the effect of the loss of experienced personnel in the Program

1. Identify and compare existing succession planning efforts with the Department and/or federal government
2. Develop and pilot a succession planning program to identify and cultivate future Program leaders
3. Assess staff
4. Implement the succession planning program

3. Implement regularly scheduled assessments of human capital based on a survey of existing productivity, workload, and need

1. Design/update the human capital assessment
2. Conduct the survey
3. Analyze the data
4. Provide recommendations to Program participants
5. Allocate future asset forfeiture resources based on the results of these analyses

4. Establish a performance management system that fairly and objectively measures and rewards excellent performance

1. Review existing performance management systems with the Department and/or federal government
2. Include asset forfeiture in performance work plans for all Program participant line and supervisory personnel
3. Establish for all Program participants an awards program that recognizes excellent performance

Goal 2.6: Recruitment and Retention

Establish recruitment and retention guidelines to hire personnel with specialized skills, experience, and the aptitude necessary for asset forfeiture and financial investigations

1. Assess required competencies and current deficiencies in knowledge, skills, and abilities in the workforce

1. Assess the current new hire and continuing education asset forfeiture curricula to ensure that all necessary skill sets are taught
2. Identify target audiences and develop curricula for agent, attorney, and support staff training to address changing asset forfeiture laws, practices, and policies
3. Assess the effectiveness of the training curricula to ensure that knowledge and skills are transferred to the workplace
4. Conduct post assessments of updated or new asset forfeiture curricula to evaluate the effectiveness of asset forfeiture training and make improvements as necessary

2. Determine the skill sets still needed and availability of potential candidates

1. Identify skill sets still needed
2. Establish recruitment and retention guidelines to hire personnel with specialized skills, experience, and aptitude necessary for asset forfeiture and financial investigations

Goal 2.7: Training

Provide comprehensive and continual training and education in asset forfeiture, money laundering, and financial investigations

1. Assess the current new hire and continuing education asset forfeiture curricula to ensure that all necessary skill sets are taught

1. Design assessment
2. Identify additional training opportunities and solutions
3. Seek Program participant feedback
4. Develop training opportunities and solutions

2. Assess current training opportunities for U.S. Attorneys, judges, agents, investigators, and AUSAs outside of the Program

1. Design assessment
2. Identify additional training opportunities and solutions
3. Seek Program participant feedback
4. Develop training opportunities and solutions



3. Design and annually conduct an asset forfeiture trial advocacy course

1. Identify working group members to support the development of an asset forfeiture trial advocacy course
2. Design, develop, and pilot the course
3. Make modifications as needed
4. Deliver the course at the National Advocacy Center

4. Develop training curricula for agent, attorney, and support staff training to address changing asset forfeiture laws, practices, and policies

1. Identify target audiences and possible training programs and tools
2. Design, develop, and pilot training programs and tools to address changing asset forfeiture laws, practices, and policies
3. Make modifications as needed
4. Implement training solutions

5. Develop cross-component training

1. Review all training proposals for cross-component training opportunities
2. Publish a consolidated calendar of training events
3. Develop an infrastructure to deliver web-based training programs and tools

6. Assess the effectiveness of the training curricula to ensure that knowledge and skills are transferred to the workplace

1. Design a Program-wide evaluation process that evaluates training offered in the Program
2. Collect and analyze evaluation data
3. Prepare and distribute a report on the effectiveness of training programs and tools
4. Conduct post assessments of updated or new asset forfeiture curricula to evaluate the effectiveness of asset forfeiture training and related materials and make improvements as necessary

7. Conduct post assessments of updated or new asset forfeiture curricula to evaluate the effectiveness of asset forfeiture training and make improvements as necessary

1. Design assessments
2. Conduct assessments
3. Analyze data
4. Publish the findings

Using Asset Forfeiture to Help the Victims of Crime



During the investigation of the Smitty's Capital Holdings Reserve Foundation, FBI and IRS-CI agents forfeited approximately \$35 million in assets, including 60 bank accounts, 8 NASCAR race cars, 1 race truck, and the Redstone Castle located in Redstone, Colorado. The proceeds from the sale of these assets have been disbursed to over 600 victims of this high-yield investment scheme.



U.S. Department of Justice
Asset Forfeiture Program

Strategic Objective 3

Case Development and Execution



Repaying Victims Through the Sale of Forfeited Assets



In Richmond, Virginia, the FBI, IRS-CI, U.S. Postal Inspection Service, Commodity Futures Trading Commission, and Chesterfield Police Department worked together to investigate a company that defrauded more than 350 investors of \$8.3 million. James E. Brown, Jr. of Brown Investment Services guaranteed investors he would double their money through investments in the Foreign Currency Exchange Market (FOREX). Instead of investing money in the FOREX, Brown used most of the funds for personal expenditures and the purchase of luxury automobiles including a McLaren, Maybach, and an Aston Martin. The U.S. Marshals Service auctioned these vehicles and proceeds from their sale will be used to repay the individuals, small businesses, and churches victimized in this investment scheme.



Case Development and Execution

Integrate asset forfeiture in all appropriate investigations and cases

Essential to the vision and the mission of the Program are the investigation and prosecution of asset forfeiture cases where appropriate. Consequently, achieving the case development and execution strategic objective is fundamental to the success of the Plan. The goals for this objective seek to ensure alignment with the Attorney General priorities, to focus on the recovery of victims' assets, to institutionalize the integration of asset forfeiture in criminal investigations and cases, and to foster cooperation within the Program and with other law enforcement programs and initiatives. The following goals have been established to guide the Program's efforts toward realizing the case development and execution strategic objective:

- **Goal 3.1: Attorney General Priorities**
Develop and prosecute administrative and judicial forfeiture cases in accordance with AG priorities
- **Goal 3.2: Forfeiture for Victims**
Use asset forfeiture to recover victims' assets whenever possible
- **Goal 3.3: Policies, Procedures, and Practices**
Develop policies, procedures, and practices that facilitate the consistent development and prosecution of administrative and judicial forfeiture cases as authorized by law
- **Goal 3.4: Cooperation**
Develop productive and cooperative relationships among law enforcement entities and forfeiture programs

In concert with the Attorney General's priorities to target terrorism, crimes against children, and corporate fraud; the Plan specifically focuses the use of forfeiture to address these priorities. Asset forfeiture is a powerful weapon in disrupting and dismantling the financial infrastructures that support terrorism, child exploitation, and corporate fraud. Ensuring that the Program has a coordinated and well-organized approach to the forfeitures resulting from these specific crimes will be important to the success of Goal 3.1.

As the Program has matured during the past two decades, the use of forfeiture to recover the assets of victims has grown. In years' past, forfeitures involving drugs and drug trafficking comprised the majority of assets forfeited into the Fund. In recent years, those numbers have changed with the percentage of non-drug forfeitures almost even with drug forfeitures. A large percentage of the non-drug forfeitures are fraud cases and often involve millions of dollars in forfeited assets to be returned to the victims. As a result of the expansive growth in the use of forfeiture to recover victims' assets, the need for education of the judiciary, probation officers, prosecutors, and victim-witness coordinators is vital in accomplishing Goal 3.2. Additionally, the development of guidelines or SOPs regarding the use of forfeiture to recover victims' assets is an essential component of this Plan.

The development of policies, procedures, and practices to facilitate forfeiture cases, both administrative and judicial, is fundamental to the Plan. Accomplishing Goal 3.3 will require establishing model SOPs, best practices, and protocols to ensure coordination at all stages of the investigation and prosecution between the case-in-chief and the forfeiture case. Another crucial element of this Plan is the establishment of systems in the USAOs and in the agencies to track and review all investigations and cases to determine if forfeiture is appropriate. These systems are important to ensure the development of the forfeiture case in concert with the criminal case.

Cooperation between law enforcement components, between units in the same office, between the Justice and Treasury Asset Forfeiture Programs, and between other programs and initiatives is necessary to forge a cohesive and well-functioning Program. These efforts will aid in establishing and clarifying processes that enhance cooperation among components including access to investigative, intelligence, and program resources. Likewise, encouraging new federal, state, and local law enforcement agencies to participate in the Program is vital to the growth and expansion of case development and execution as well as the accomplishment of Goal 3.4.



The investigators, prosecutors, analysts, and support staff who have dedicated 20+ years of service to the Program were honored at the 2007 OCDEF/Asset Forfeiture Program National Leadership Conference. These personnel were thanked for their unwavering dedication to the mission and goals of the Program.



Implementing the Case Development and Execution Strategic Objective

In order to achieve the case development and execution strategic objective, the Program will pursue the following goals and tactics. Priority tactics are indicated by the ★ symbol.

Goal 3.1: Attorney General Priorities

Develop and prosecute administrative and judicial forfeiture cases in accordance with AG priorities

★ 1. Make effective use of forfeiture in terrorism cases

1. Identify representatives from within the Criminal Division, the USAO community, and the various investigative agencies throughout federal law enforcement to develop strategies that effectively use asset forfeiture in terrorism prosecutions
2. Identify a terrorism liaison within AFMLS to coordinate with Joint Terrorism Task Forces
3. Develop a multimedia briefing to explain the long term benefits and impact financial investigations and asset forfeiture can have on dismantling terrorist organizations
4. Collect best practices and develop model forms, pleadings, and reference materials
5. Develop specialized training on the use of forfeiture in terrorism cases
6. Assess the effectiveness of this outreach effort and the work of the liaison

2. Make effective use of forfeiture in child exploitation cases

1. Identify a child exploitation liaison within AFMLS to provide coordinated guidance on various cases
2. Develop specialized training on the use of forfeiture in child exploitation cases
3. Collect best practices and develop model forms, pleadings, and reference materials

3. Make effective use of forfeiture in corporate fraud cases

1. Identify a corporate fraud liaison within AFMLS to provide coordinated guidance on various cases
2. Develop specialized training on the use of forfeiture in corporate fraud cases
3. Collect best practices and develop model forms, pleadings, and reference materials

Goal 3.2: Forfeiture for Victims


Use asset forfeiture to recover victims' assets whenever possible

- ★ 1. Familiarize judges and train criminal prosecutors, forfeiture prosecutors, Financial Litigation Units (FLUs), Victim/Witness Coordinators, and probation officers on victim-related forfeiture issues
 1. Convene a working group to support the identification, design, development, pilot, and implementation of various training programs and tools
 2. Develop a publication and reference materials on the use of asset forfeiture in the recovery of assets for victims
 3. Develop a training module on the use of forfeiture to secure restitution for crime victims through the use of alternative pre-trial restraint authorities and effective enforcement of forfeiture money judgments
 4. Identify potential training programs and tools for the various audiences
 5. Design, develop, and pilot training programs and tools
 6. Implement and evaluate training programs and tools
- ★ 2. Develop and implement guidelines to achieve greater coordination between Asset Forfeiture Units (AFUs) and FLUs to benefit crime victims
 1. Collect best practices on coordinating between AFUs and FLUs
 2. Publish best practices
 3. Pilot the formation of Asset Recovery Units
 4. Monitor the effectiveness of the Asset Recovery Units
3. Modify the Victim Notification System (VNS) to include civil forfeiture
 1. Conduct a gap analysis to determine what system modifications may be needed
 2. Conduct a cost/benefit analysis to determine the feasibility of making system upgrades
 3. Implement modifications
4. Develop prosecutorial resources
 1. Gather best practices from Program participants
 2. Develop model orders, forms, and pleadings to support the recovery of assets for victims
 3. Distribute model orders, forms, and pleadings



Goal 3.3: Policies, Procedures, and Practices

Develop policies, procedures, and practices that facilitate the consistent development and prosecution of administrative and judicial forfeiture cases as authorized by law

1.  1. Develop SOPs to ensure a financial investigation is included in every case where appropriate
 1. Gather best practices from Program participants
 2. Develop a model SOP
 3. Distribute model SOP to Program participants
 4. Include financial investigations and coordinate with USAO/agency asset forfeiture personnel in every case in accordance with the SOP
2.  2. Ensure that the USAOs and the Criminal Division establish procedures that track and review cases, indictments, prosecutions, and sentencing
 1. Gather best practices from USAOs
 2. Develop and distribute procedures that track and review cases, indictments, prosecutions, and sentencing
 3. Seek approval to integrate the procedures into applicable policies
3. Ensure that agency leadership establish agency file reviews that track the appropriate development and use of asset forfeiture during all phases of the investigation and prosecution
 1. Gather best practices from USAOs and investigative agencies
 2. Develop and distribute file review procedures
 3. Seek approval to integrate the procedures into applicable policies
4. Establish protocols to ensure coordination through all stages of the investigation and prosecution of each forfeiture case
 1. Gather best practices
 2. Develop model coordination protocols
 3. Distribute model coordination protocols
 4. Seek approval to integrate the protocols into applicable policies

Goal 3.4: Cooperation

Develop productive and cooperative relationships among law enforcement entities and forfeiture programs

1. Establish or clarify processes that enhance Program participant cooperation
 1. Review current processes
 2. Identify ways for the Federal Asset Forfeiture and the Treasury/Justice Asset Forfeiture Working Groups to improve Program participant cooperation
 3. Develop processes as needed
2. Support the Regional Computer Forensic Laboratories (RCFLs) and Computer Analysis Response Teams (CARTs) training initiatives
 1. Determine if there are additional ways the RCFLs and the CARTs can be of assistance
 2. Use the RCFL and CART initiatives as benchmarks for Program participants who are seeking to use the Fund for special projects
3. Provide access to information concerning the investigative and intelligence resources available within the Program
 1. Gather investigation and intelligence resources available within the Program
 2. Organize the information for publication on AFML Online and in various support products
 3. Publish the information
4. Develop criteria and protocols for inviting additional federal law enforcement agencies to participate in the Program
 1. Identify members of the asset forfeiture community to develop criteria and protocols
 2. Develop draft criteria and protocols and circulate for comment and opinions
 3. Finalize criteria and protocols
5. Establish working groups to improve cooperation between the Justice and Treasury Asset Forfeiture Programs, among Justice Program participants, and with state and local law enforcement agencies that participate in the federal asset forfeiture programs
 1. Identify ways for the working groups to improve cooperation in the Program
 2. Implement changes based on the input
 3. Conduct a survey to determine if there are additional methods to improve cooperation



6. Identify other law enforcement programs/initiatives impacted by asset forfeiture and establish cooperative relationships

1. Review existing law enforcement programs and initiatives
2. Develop outreach materials
3. Establish cooperative relationships



The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) works cooperatively with federal, state, and local law enforcement on the seizure and forfeiture of firearms. The photos above reflect firearms involved in criminal activity. Once forfeited, these firearms are destroyed so that they will remain out of the hands of criminals.

Protecting the Health of the American Public



Photographs by Don Petersen for The New York Times

The U.S. Attorney's Office in the Western District of Virginia worked closely with the FDA-OCI, IRS-CI, HHS-OIG, Virginia Attorney General's Office, West Virginia State Police, and Virginia State Police to investigate Purdue Pharma, L.P. for misleading doctors and patients that OxyContin, a prescription painkiller, posed a lower threat of abuse and addiction than other narcotic painkillers on the market. Three current and former executives pled guilty to misbranding OxyContin, and Purdue Pharma, L.P. agreed to pay \$634 million to settle criminal and civil charges. This investigation serves as an excellent example of how asset forfeiture can be used to protect the American people from pharmaceutical companies that have misbranded addictive prescription medications.

Pictured from left, Howard R. Udell, the top lawyer for Purdue Pharma; Dr. Paul D. Goldenheim, the company's former medical director; and Michael Friedman, Purdue's president.



U.S. Department of Justice
Asset Forfeiture Program

Strategic Objective 4

Program Growth



Taking Drugs off the Streets



Outstanding multi-jurisdictional cooperation dismantled the Pablo Rayo-Montana drug trafficking organization. In Operation Twin Oceans, DEA worked with an international coalition of law enforcement agencies to seize 52 tons of cocaine and \$70 million in assets, including three islands, yachts, and several commercial properties and businesses.



Program Growth


Expand partnerships with foreign, state, and local governments; regulatory agencies; and the private sector to increase the effectiveness of asset forfeiture as a law enforcement tool

To achieve its mission, the Program must foster cooperation between foreign, state, and local governments and cultivate relationships with regulatory agencies and the private sector. To increase the effectiveness of asset forfeiture, it is also important that the Program build an infrastructure of laws, regulations, practices, and policies that ensure there is no safe place for criminal organizations to hide the proceeds of their crimes. The following goals have been established to guide the Program's efforts toward realizing the program growth strategic objective:

- **Goal 4.1: International Partnerships**
Develop partnerships with foreign governments and domestic agencies to promote the international use of asset forfeiture
- **Goal 4.2: Money Laundering Efforts**
Expand money laundering forfeiture efforts
- **Goal 4.3: State and Local Partnerships**
Develop partnerships with state and local law enforcement agencies to expand the use of asset forfeiture
- **Goal 4.4: Laws, Regulations, and Guidelines**
Enact and promulgate appropriate laws, regulations, rules, and guidelines

Establishing domestic and foreign partnerships to further the reach and relevance of asset forfeiture internationally is paramount to accomplishing Goal 4.1. To maximize the effectiveness of asset forfeiture, the Program must work with foreign governments and domestic agencies to pursue forfeiture in cases involving foreign corruption, terrorism, money laundering, and other criminal activity. In addition to coordinating law enforcement efforts, the Program must also provide advice, technical assistance, and training to prosecutors and agents. Training foreign law enforcement officers, as well as domestic agents and prosecutors stationed in foreign posts, will provide them with the specialized skills needed to identify, seize, freeze, and forfeit criminal assets. The Program must also work with domestic agencies, Congress, foreign governments, and international organizations to build an infrastructure of laws, agreements, and procedures to seize and forfeit assets. Criminal organizations can easily move the proceeds of their illicit activities across international borders, but no country can act unilaterally to recover assets that have left its jurisdiction. Countries must work together to obtain the statutory authority and regulations needed to recover the proceeds of crime.

As criminal organizations become more sophisticated and innovative at laundering their illicit proceeds, the Program must work with its law enforcement partners, regulatory agencies, the banking industry, and the private sector to address new money laundering techniques and trends. One way the Program can accomplish Goal 4.2 is to develop SAR Review Teams to analyze



and target criminal proceeds in the financial system. The banking industry is the primary source of information on suspicious and unusual financial transactions. Information reported on Bank Secrecy Act (BSA) forms aids federal law enforcement agencies in identifying money laundering and other criminal activity. It is essential that the Program continue to develop relationships with federal financial regulators and the banking industry to promote anti-money laundering programs. As the law enforcement community has developed partnerships with the banking industry, criminals and their syndicates have become increasingly reluctant to place their money in financial institutions where there is greater scrutiny and tracking capabilities. Criminal organizations are increasingly exploiting the products offered by money service businesses and are laundering money through legal entities such as casinos, the insurance industry, and automobile dealers. The Program must work with the Financial Crimes Enforcement Network (FinCEN) and the law enforcement community to develop policies and regulations that combat new money laundering methods. The Program must also support implementation of the *2007 National Money Laundering Strategy* and initiatives that pursue the forfeiture of monies involved in bulk cash smuggling.


Expanding and enhancing partnerships with state and local law enforcement agencies is essential to the growth of the Program. As the activities of criminal organizations often span multiple jurisdictions, the Program must encourage broad, multi-agency cooperation among federal, state, and local law enforcement. To achieve Goal 4.3, the Program must develop uniform criteria and protocols for inviting state and local law enforcement agencies to participate in federal task forces and joint investigations. Forging partnerships with state and local law enforcement agencies allows the Program to draw on the jurisdictional knowledge and investigative skills of local officers. When state and local law enforcement agencies join existing task forces, task force agreements should be revised to specify the role the new agency will play in task force operations, and how equitable sharing received by the task force will be utilized and/or distributed.

To ensure that state and local law enforcement officers possess the investigative skills needed to conduct a financial investigation and to follow the money of a criminal enterprise, the Program should encourage state and local law enforcement officers to attend the Financial Investigations Seminar and other training opportunities on asset forfeiture law, practice, and policy. For the Program to achieve its mission and vision, it is crucial that state and local law enforcement agencies support the Program.

As the Program matures, the laws, regulations, rules, and guidelines that govern the Program must be continually updated and revised. Drafting and proposing asset forfeiture and money laundering legislation that allows the Program to keep abreast of new trends used by criminals and their organizations is necessary for program growth. Accomplishing Goal 4.4 is important because appropriate laws, regulations, rules, and guidelines will maximize the effectiveness of the Program. As such, the Program will advocate for passage of Title III of the Violent Crime and Anti-Terrorism Act of 2007. Enactment of this bill is fundamental for addressing emerging criminal trends. The Program will also revise the *Attorney General's Guidelines on Seized and Forfeited Property* and the *Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies*. This goal also includes developing comprehensive forfeiture regulations and pursuing rule making reforms to Rule 32.2 of the Federal Rules of Criminal Procedure.







Implementing the Program Growth Strategic Objective

In order to achieve the program growth strategic objective, the Program will pursue the following goals and tactics. Priority tactics are indicated by the  symbol.

Goal 4.1: International Partnerships

Develop partnerships with foreign governments and domestic agencies to promote the international use of asset forfeiture

-  1. Make effective use of forfeiture to support the August 2006 *National Strategy to Internationalize Efforts Against Kleptocracy*
 1. Investigate and prosecute foreign corruption and related money laundering cases and use asset forfeiture to recover the proceeds of foreign corruption
 2. Provide technical assistance to enhance legal systems that combat corruption
 3. Negotiate international agreements regarding the disposition of forfeited corruption proceeds
-  2. Coordinate with the Office of Foreign Assets Control (OFAC), FinCEN, and regulators to develop procedures for identifying assets for forfeiture in cases involving the use of sanctions under the International Emergency Economic Powers Act (IEEPA), the Kingpin Act, the Terrorism Act, and Section 311 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act
 1. Identify possible forfeiture cases involving OFAC designations
 2. Develop plan of action for pursuing forfeiture cases
 3. Identify USAO and AFMLS personnel to investigate and prosecute identified cases
-  3. Provide advice, technical assistance, and training to foreign prosecutors and agents to assist them in the identification, seizure, restraint, and forfeiture of assets
 1. Work with the Office of Overseas Prosecutorial Development and Training to determine what technical assistance and training is currently being provided and what additional assistance and training is needed
 2. Develop findings and recommendations
 3. Seek Program participant feedback and approval
 4. Devote resources for training foreign counterparts in the investigation of sophisticated money laundering methods and in the identification, seizing, freezing, and forfeiture of criminal assets



4. Provide advice, technical assistance, and training to domestic prosecutors and agents stationed in foreign posts to assist them in the identification, seizure, restraint, and forfeiture of assets

1. Design and conduct training assessment
2. Develop findings and recommendations
3. Implement recommendations

5. Revise legislation to assist foreign governments in seizing and forfeiting assets

1. Coordinate with the Office of Legislative Affairs regarding legislative work with Congressional staffers
2. Coordinate all legislative efforts with Program participants
3. Work bilaterally, regionally, and through multilateral organizations to support the Financial Action Task Force (FATF) 40 Recommendations and 9 Special Recommendations

6. Assist foreign counterparts in obtaining statutory authority to restrain property at the request of foreign governments

1. Identify foreign jurisdictions that do not currently have the authority or capability to restrain and forfeit assets at the request of a foreign government
2. Develop a plan of action for providing technical assistance to identified foreign jurisdictions to develop the ability to restrain and forfeit assets at the request of another foreign jurisdiction
3. Work with the Office of International Affairs (OIA) to develop protocols with foreign jurisdictions to enable and streamline the restraint and forfeiture of assets
4. Coordinate all international efforts

7. Negotiate international agreements regarding the seizing, freezing, and disposition of forfeited assets and the sharing of forfeited assets

1. Develop a plan of action for seeking agreements regarding the seizing, freezing, disposition of assets, and the sharing of assets
2. Identify the foreign asset forfeiture programs that do not currently have asset sharing agreements with the United States
3. Work with OIA and the State Department to negotiate asset forfeiture agreements with foreign jurisdictions
4. Coordinate all international efforts




8. Develop model, uniform judicial procedures between countries in recovering the proceeds of crime


1. Encourage United Nations (UN) member states to adopt the model asset sharing agreement
2. Work with the UN and European Union to develop and adopt a model non-conviction based forfeiture law

Goal 4.2: Money Laundering Efforts


Expand money laundering forfeiture efforts

 1. Encourage the development of SAR Review Teams to analyze and target criminal proceeds within the financial system


1. Identify current SAR Review Teams, provide support, and collect best practices
2. Identify targeted districts to establish SAR Review Teams
3. Monitor and support SAR Review Teams
4. Develop a National SAR Review Team within the Criminal Division
5. Encourage and foster the sharing of information among the SAR Review Teams

 2. Develop working groups and other coordinated efforts with FinCEN, law enforcement, and private industry to address the growing concerns in money service businesses (e.g., currency exchangers, check cashers, money order issuers, and stored value card vendors)

1. Identify working group members from FinCEN, law enforcement, and private industry
2. Conduct working group meetings
3. Harmonize regulations and laws related to BSA reporting requirements

 3. Foster coordination, communication, and cooperation with federal financial regulators to promote outreach to the banking industry on anti-money laundering programs and to assist in the identification of assets for seizure and forfeiture

1. Identify industry liaisons
2. Develop an outreach plan
3. Implement the plan



4. Encourage the use of BSA reporting forms (e.g., Currency Transaction Reports, Cash and Monetary Instruments Report, SARs, and Form 8300) to identify and target money laundering and other criminal activity

1. Promote the use of BSA reporting forms in financial investigations
2. Identify industry liaisons
3. Provide outreach to the banking community about the value of the BSA reporting forms in investigations and prosecutions
4. Work with the banking industry to improve reporting processes and procedures
5. Conduct training on the use of BSA reporting forms
6. Encourage FinCEN to enhance data mining and intelligence capabilities

5. Support and foster working groups focusing on cutting edge money laundering techniques and trends

1. Identify working group members from the public and private sectors
2. Conduct working group meetings
3. Publish newly identified money laundering techniques

6. Develop new policies, regulations, and investigations focusing on online payment systems and stored value cards

1. Identify working group members
2. Conduct working group meetings
3. Work with FinCEN to draft policies and regulations
4. Seek feedback and approval
6. Implement policies and regulations

7. Develop new policies, regulations, and investigations on the use of legal entities (e.g., shell corporations) used to launder money to prevent the detection and forfeiture of criminal proceeds

1. Identify working group members
2. Participate in working group meetings
3. Support FinCEN to draft policies and regulations
4. Seek feedback and approval
5. Implement policies and regulations



8. Develop new policies, regulations, and investigations to address the use of money laundering in casinos, the insurance industry, and other financial services (e.g., automobile dealers and jewelers)

1. Identify working group members
2. Conduct working group meetings
3. Work with FinCEN to draft policies and regulations
4. Seek feedback and approval
5. Implement policies and regulations

9. Develop more expansive funding policies in support of money laundering investigations

1. Increase enforcement efforts against unlicensed money transmitting businesses, particularly those engaged in terrorism or narcotics-based money laundering
2. Collect lessons learned during and following the completion of major money laundering investigations
3. Identify new policies that need to be implemented to better support money laundering investigations
4. Review and expand the Fund policy regarding the support of money laundering investigations

10. Support the implementation of the *2007 National Money Laundering Strategy*

1. Review the Strategy to determine what the Program can do to support and implement the strategy
2. Implement the Strategy within the Program as appropriate
3. Develop an outreach plan to explain the role of the Program in the Strategy
4. Implement the outreach plan

11. Support and implement initiatives to investigate and pursue the forfeiture of monies involved in bulk cash smuggling

1. Identify current initiatives
2. Identify best practices
3. Draft policies and regulations
4. Encourage the formation of bulk cash interdiction teams
5. Provide additional training to increase the use of forfeiture to stem the flow of illicit bulk cash out of the United States

Goal 4.3: State and Local Partnerships

Develop partnerships with state and local law enforcement agencies to expand the use of asset forfeiture

1. Develop criteria and protocols for inviting additional agencies to participate in existing task forces or joint investigations

1. Review existing criteria and protocols
2. Identify best practices
3. Develop model criteria and protocols

2. Develop a model task force agreement specifically on asset forfeiture

1. Review asset forfeiture task force agreements
2. Identify successful agreements
3. Develop model agreement

3. Encourage state and local law enforcement officers to attend the Financial Investigations Seminar

1. Work with Program participants to identify state and local law enforcement officers to attend the Financial Investigations Seminar
2. Ensure monies from the Fund are allocated to train state and local law enforcement officers
3. Provide support to state and local law enforcement officers that have attended the Financial Investigations Seminar

4. Provide state and local law enforcement agencies with information and training on current asset forfeiture law, practice, and policy using the model asset forfeiture curriculum

1. Provide state and local law enforcement agencies with training on asset forfeiture and financial investigations
2. Distribute asset forfeiture training materials to state and local law enforcement agencies
3. Conduct workshops and exhibit at state and local law enforcement national conferences



5. Develop an awareness campaign for state and local law enforcement agencies to help them communicate the value of asset forfeiture as a tool for improving public safety and benefiting their communities

1. Identify content to include in educational materials distributed to state and local law enforcement agencies
2. Develop educational resources
3. Implement the awareness campaign by distributing educational resources
4. Assess the effectiveness of the awareness campaign and update materials as needed

6. Educate state and local law enforcement agencies on the Plan and discuss ways for them to support the Program

1. Identify current state and local law enforcement events to discuss the Plan
2. Integrate the Plan in current state and local law enforcement training
3. Coordinate with Law Enforcement Coordinating Committees (LECCs) to provide information on the Plan to state and local law enforcement
4. Work with state and local law enforcement national organizations to provide information to their leadership on the Plan

7. Revitalize the Asset Forfeiture State and Local Working Group

1. Identify Working Group members
2. Schedule Working Group meetings
3. Update, educate, and brief the Working Group on the status of the Program and the Plan
4. Develop asset forfeiture materials for Working Group members to distribute to their membership

Goal 4.4: Laws, Regulations, and Guidelines

Enact and promulgate appropriate laws, regulations, rules, and guidelines

★ 1. Advocate for the passage of Title III of the Violent Crime and Anti-Terrorism Act of 2007

1. Work with the Office of Legislative Affairs to address questions and concerns regarding Title III of the Violent Crime and Anti-Terrorism Act of 2007

★ 2. Revise the *Attorney General's Guidelines on Seized and Forfeited Property (AG Guidelines)*

1. Develop a timeline for completing revisions
2. Conduct regularly scheduled Working Group meetings to complete revisions by timeline deadlines
3. Provide status report on progress made toward completing revisions

★ 3. Revise the *Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies (Guide to Equitable Sharing)*

1. Review draft of revised *Guide to Equitable Sharing*
2. Seek Program participants feedback and approval
3. Publish revised *Guide to Equitable Sharing*

4. Promulgate comprehensive forfeiture regulations for Program participants

1. Revise and develop comprehensive forfeiture regulations
2. Seek Program participants feedback and approval
3. Publish comprehensive forfeiture regulations
4. Review and address public comments
5. Finalize for publication in the Code of Federal Regulations



5. Continue to pursue rule making reforms, including amendments to Rule 32.2 of the Federal Rules of Criminal Procedure

1. Collect lessons learned through the investigation and prosecution of major cases
2. Identify areas for reform
3. Seek amendments to Rule 32.2
4. Seek other reforms



Cooperation was the central theme of the International Forfeiture Conference held in Davos, Switzerland. Representatives from the Program met with experts from Switzerland, Lichtenstein, Europe, Africa, and Asia to discuss using civil forfeiture, or non-conviction based forfeiture, to fight international crime.





Appendix A: Program Participants

The Program is comprised of the following 12 components:

- United States Department of Justice:
 - Criminal Division, Asset Forfeiture and Money Laundering Section
 - Justice Management Division, Asset Forfeiture Management Staff
 - Bureau of Alcohol, Tobacco, Firearms and Explosives
 - Drug Enforcement Administration
 - Executive Office for United States Attorneys
 - Federal Bureau of Investigation
 - United States Marshals Service
- United States Department of Agriculture, Office of Inspector General
- United States Department of Defense, Criminal Investigative Service
- United States Department of State, Bureau of Diplomatic Security
- United States Food and Drug Administration, Office of Criminal Investigations
- United States Postal Inspection Service

The program participants represent agencies within and outside the Department of Justice. Each participant plays an important role in the Program. A brief description of each participant's duties and responsibilities follows.

Asset Forfeiture and Money Laundering Section

The Asset Forfeiture and Money Laundering Section is responsible for the coordination, direction, and general oversight of the Program. The Section handles civil and criminal litigation, provides legal support to U.S. Attorneys' Offices, establishes policy and procedure, coordinates multi-district investigations, administers the equitable sharing of assets, adjudicates petitions for remission, coordinates international forfeiture and sharing, and develops training seminars for all levels of government. The Asset Forfeiture and Money Laundering Section is comprised of:



Asset Forfeiture Program Unit

The Asset Forfeiture Program Unit oversees the programs relating to the disposition of forfeited property, including the equitable sharing program and the petition for remission and restoration programs. Each of these programs involves the transfer of hundreds of millions of dollars and requires consistent nationwide policies to ensure that forfeited proceeds are distributed in accordance with the laws, regulations, and policies that govern them.

International Programs

Attorneys in International Programs participate in negotiations and consultations with foreign governments concerning forfeiture cooperation and international asset sharing. International Programs attorneys also handle litigation, provide legal advice to Assistant U.S. Attorneys and foreign officials in international money laundering and asset forfeiture investigations and proceedings, and train domestic and foreign law enforcement officers.

Litigation

Litigation attorneys handle and coordinate complex, sensitive, and multi-district money laundering and asset forfeiture investigations. These cases often center on money laundering organizations and involve the recovery of criminal proceeds through forfeiture in international, multi-jurisdictional, or otherwise complex cases. Litigation attorneys also promote the uniform application of laws, regulations, and policy directives through litigation assistance and advice.

Legal Policy

Attorneys in Legal Policy are responsible for developing, reviewing, and commenting on legislative, regulatory, and policy initiatives designed to enhance and improve the prosecution of asset forfeiture and money laundering cases. In addition, Legal Policy attorneys develop and coordinate training courses on asset forfeiture, money laundering, and financial investigations for federal prosecutors, federal agents, foreign officials, and state and local officers. A variety of publications are distributed at these training courses and mailed to the thousands of prosecutors and agents in the asset forfeiture community.

For more information on the Asset Forfeiture and Money Laundering Section, visit www.usdoj.gov/criminal/afmls/index.html.



Asset Forfeiture Management Staff

The Asset Forfeiture Management Staff is responsible for the administrative management functions of the Asset Forfeiture Program. These functions consist of management of the Assets Forfeiture Fund (the Fund); management of both internal and external budget processes regarding the Fund; managing the investment of seized and forfeited funds; management and operation of the Consolidated Asset Tracking System (CATS); administration and oversight of asset forfeiture program-wide contracts; review, audit, and evaluation of asset forfeiture program activities; identification of program weaknesses and development, monitoring, and review of appropriate internal controls; and analysis of legislative, policy, and regulatory proposals that may affect the financial integrity of the Asset Forfeiture Program.



Assets Forfeiture Fund

The Comprehensive Crime Control Act of 1984 established the Fund to receive the proceeds of forfeiture and to pay the costs associated with such forfeitures. The Attorney General is authorized to use the Fund to pay any necessary expenses associated with forfeiture operations, such as property seizure, detention, management, forfeiture, and disposal.

Fiduciary Oversight

The Fund receives most of its revenue from the forfeiture of cash and other monetary assets and from the sale of forfeited property. The Fund's first priority is to cover the operating expenses of the Asset Forfeiture Program. After it is determined that there will be sufficient receipts, allocations may be made for investigative expenses, such as awards for information, evidence, and equipping of conveyances, and discretionary expenses, such as storage, protection, and destruction of controlled substances.

Consolidated Asset Tracking System

CATS is a database that tracks assets seized by federal law enforcement agencies throughout the forfeiture life-cycle. Information about the seizure, custody, notification, forfeiture, claims, petitions, equitable sharing, official use, and disposal of assets is entered in CATS.

Contracting Vehicles

The Asset Forfeiture Management Staff provides assistance with the establishment and application of contracting vehicles for use by agencies and offices within the Asset Forfeiture Program. The primary purposes of these contracts are to support law enforcement forfeiture-related investigative activities, provide ongoing, administrative support services involving document analysis and review, technical legal support, data entry and clerical support, and support to CATS through the acquisition of various types of support services.

For more information on the Asset Forfeiture Management Staff, visit www.usdoj.gov/jmd/afms/index.html.

Bureau of Alcohol, Tobacco, Firearms and Explosives

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) moved from the U.S. Department of the Treasury to the U.S. Department of Justice in January 2003. ATF enforces the federal laws and regulations related to alcohol, tobacco, firearms, explosives, and arson by working directly and in cooperation with other federal, state, and local law enforcement agencies. ATF has the authority to seize and forfeit firearms, ammunition, explosives, alcohol, tobacco, currency, conveyances, and certain real property involved in the violation of federal law.



Alcohol and Tobacco Enforcement

ATF enforces laws designed to prevent illegal diversion schemes involving alcohol and tobacco products. Enforcement activities include investigating and arresting violators hoping to evade tax payments and helping to prevent organized crime profiteering and financial support of terrorist causes.

Firearms Enforcement

ATF combats firearm violence through an integrated enforcement strategy. Investigative priorities focus on armed violent offenders and career criminals, narcotics traffickers, narco-terrorists, violent gangs, and domestic and international arms traffickers.

Explosive and Arson Enforcement

ATF combines the contacts and resources available through its regulatory programs with the expertise, technological, and investigative assets of its criminal enforcement divisions to provide vital services to local communities in the investigation and prevention of fire and explosion incidents.

For more information on the Bureau of Alcohol, Tobacco, Firearms and Explosives, visit www.atf.gov.



Drug Enforcement Administration

The Drug Enforcement Administration (DEA) is responsible for implementing major investigative strategies against drug networks and cartels. DEA's Asset Forfeiture Program is comprised of the following three sections:



Asset Forfeiture Section

The Asset Forfeiture Section is responsible for establishing, articulating, and implementing the policies related to the seizure and forfeiture of drug-related assets. The Asset Forfeiture Section's primary responsibilities include processing and forfeiting seized assets; interpreting Department of Justice policies and guidelines; providing guidance on asset forfeiture issues to the field; providing asset forfeiture training; processing equitable sharing requests; processing award payments to informants; and administering monies from the Assets Forfeiture Fund to support the State and Local Overtime Program and the Marijuana Eradication Program.

Forfeiture Counsel Section

The Forfeiture Counsel Section is responsible for providing legal advice and assistance to field offices, coordinating pre-seizure planning and investigations, and preparing all legal documents related to the processing of DEA asset forfeiture cases. Attorneys in the Forfeiture Counsel Section also handle the execution of administrative declarations of forfeiture for property valued up to \$100,000, international forfeiture issues, equitable sharing issues, petitions for remission, litigation support, Congressional inquiries, international and domestic asset forfeiture training. In addition, the Forfeiture Counsel Section represent the DEA in confidential informant litigation.

Office of Financial Operations

The mission of the Office of Financial Operations is to provide the expertise and investigative techniques needed to identify, document, and prosecute drug money laundering organizations. The Office of Financial Operations augments DEA's domestic and foreign investigations by providing guidance, assistance, and coordination for the implementation of specialized money laundering groups in domestic field divisions; providing oversight, coordination and support of proactive money laundering operations; and providing specialized money laundering financial investigations training. The Office of Financial Operations also represents DEA's interests regarding money laundering and financial investigations with federal, state, local, and international counterparts, and the financial services industries.

For more information on the Drug Enforcement Administration, visit www.usdoj.gov/dea/programs/af.htm.

Executive Office for United States Attorneys

The U.S. Attorneys, under the direction of the Attorney General, serve as the nation's principal litigators and are responsible for investigating and prosecuting those who violate our nation's laws; for asserting and defending the interests of the United States, its departments, and agencies through the conduct of civil litigation; and for representing the United States in its appellate courts.

There are 93 U.S. Attorneys located throughout the United States, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands. Each U.S. Attorney serves as the chief federal law enforcement officer within his or her judicial district.

The U.S. Attorneys' Offices are responsible for the prosecution of both criminal and civil actions against property used or acquired during illegal activity. Since the enactment of asset forfeiture legislation, the U.S. Attorneys' Offices have used both criminal and civil asset forfeiture laws to strip away property derived from criminal activity, such as narcotics violations, money laundering, racketeering and fraud, as well as property used to facilitate the commission of certain crimes.

For more information on the United States Attorneys' Offices, visit www.usdoj.gov/usao.





Federal Bureau of Investigation

The Federal Bureau of Investigation (FBI) is responsible for investigating a broad range of criminal violations including white collar crime, organized crime, and terrorism. FBI's Asset Forfeiture Program is comprised of the following three units:



Economic Crimes Unit II

The mission of the Economic Crimes Unit II is to promote the strategic use of asset forfeiture and to ensure that field offices employ the money laundering violation in all appropriate investigations. The Unit oversees all bankruptcy fraud matters, as well as the Financial Institution Fraud Program which investigates mortgage fraud, check fraud, credit card fraud, and e-banking.

Forfeiture and Seized Property Unit

The mission of the Forfeiture and Seized Property Unit is to provide administrative support in the areas of budgeting, processing seized assets for forfeiture, reporting on administrative matters, and providing oversight to paralegals and contract personnel in the field.

Legal Forfeiture Unit

The mission of the Legal Forfeiture Unit is to provide legal forfeiture guidance and training to FBI Headquarter Divisions, the Department of Justice, and FBI field offices, so that those entities can successfully utilize the forfeiture sanction to remove the profit from crime, dismantle existing and emerging organized criminal enterprises and terrorist organizations, and disrupt those activities which threaten the physical or economic security of the United States and its allies.

For more information on the Federal Bureau of Investigation, visit www.fbi.gov/hq/cid/asset/asset.htm.

United States Marshals Service

In 1984, the United States Marshals Service was given responsibility for the custody, management, and disposition of all assets seized for forfeiture by federal law enforcement agencies participating in the Department of Justice Asset Forfeiture Program.



The Marshals Service aids the investigative agencies and their respective U.S. Attorneys' Offices in making informed decisions about what will be seized. With a cadre of experts available to provide analytical tools and services to assist in the valuation of targeted assets, the Marshals Service ensures that the property targeted for forfeiture has significant equity to cover the costs of storing and maintaining the asset during the litigation period.

The Marshals Service disposes of forfeited assets in the form of sales (*e.g.*, Internet, auction, and consignment), destruction, donations, and other methods including returns and retention for official use. The methods used to dispose of forfeited assets are tailored to the specified type and intrinsic value of the property being sold. Auction sales are normally used for volume sales, such as vehicles. Direct sales, brokered sales, and the acceptance of unsolicited offers are also utilized.

The Marshals Service also executes approved equitable sharing to state and local law enforcement agencies that participated in the underlying investigation. Since the inception of the Assets Forfeiture Fund, over \$4 billion has been shared with state and local law enforcement agencies and foreign governments.

For more information on the Marshals Service, visit www.usdoj.gov/marshals/assets.



United States Department of Agriculture, Office of Inspector General

The Office of Inspector General works closely with U.S. Attorneys' Offices as well as federal, state, and local law enforcement agencies to investigate fraud and criminal activity that affect programs run by the U.S. Department of Agriculture. These programs encompass a broad spectrum of areas including consumer protection, nutrition, animal and plant health, agricultural production, agricultural product inspection and marketing, rural development, research, conservation, and forestry.



The Office of Inspector General uses asset forfeiture to conduct investigations and prevent fraud, waste, and abuse in the programs and operations of the U.S. Department of Agriculture. Criminal investigators and auditors in the Office of Inspector General have specialized knowledge about complex agriculture programs, requirements, and vulnerabilities. This expertise is critical for resolving criminal allegations, preventing and deterring future instances of illegal or fraudulent acts of misconduct, and promoting the effectiveness and integrity of the hundreds of programs administered by the U.S. Department of Agriculture.

For more information on the Office of Inspector General, visit www.usda.gov/oig.

United States Department of State Bureau of Diplomatic Security

The Bureau of Diplomatic Security is a unique organization that plays an essential role within the U.S. Department of State. The Bureau's personnel—who include special agents, engineers, diplomatic couriers, civil service specialists, and contractors—work together as a team to ensure that the State Department can carry out its foreign policy missions safely and securely.



Diplomatic Security has a broad scope of global responsibilities, with protection of people, information, and property as its top priority. Diplomatic Security conducts criminal investigations into violations of passport and visa fraud. These federal felonies are often committed in connection with more serious crimes, such as international terrorism, narcotics trafficking, organized crime, alien smuggling, money laundering, pedophilia, and murder. Diplomatic Security provides support, policy guidance, and oversight of all investigative activity related to passport and visa fraud, as well as coordinating investigative assistance with federal, state, and local law enforcement agencies.

Diplomatic Security became a member of the Fund in October 2004. Despite its recent acceptance into the Fund, Diplomatic Security's Asset Forfeiture Program has experienced significant growth. The Asset Forfeiture Program is responsible for continually developing, modifying, and providing an aggressive forfeiture-related training program to Diplomatic Security employees and directly supporting major field office and foreign embassy visa, passport, and/or document-related forfeiture investigations.

For more information on the Bureau of Diplomatic Security, visit www.state.gov/m/ds.



United States Food and Drug Administration, Office of Criminal Investigations

The United States Food and Drug Administration is the nation's oldest consumer protection agency. The agency regulates over \$1 trillion of consumer products and is responsible for protecting the public health by ensuring the safety, efficacy, and security of human and veterinary drugs, biological products, medical devices, our nation's food supply, cosmetics, and products that emit radiation. The agency is also responsible for advancing the public health by helping to increase innovations that make medicines and foods effective, safe, and affordable.



The Office of Criminal Investigations was created in 1992 to investigate major violations of the Federal Food, Drug, and Cosmetic Act, the Federal Anti-Tampering Act, and other related laws designed to protect the nation's highly regulated system for approving and distributing prescription drugs, medical devices, and foods. The Office of Criminal Investigations is responsible for enforcing federal criminal laws involving the sale, distribution, or importation of adulterated and misbranded drugs, unapproved drugs, and the sale or the illegal dispensing of prescription drugs. Many cases are the result of joint enforcement efforts among federal and state agencies, and asset forfeiture is used in all investigations where it is available under the law.

For more information on the Office of Criminal Investigations, visit www.fda.gov.

United States Postal Inspection Service

The United States Postal Inspection Service is one of our country's oldest federal law enforcement agencies. Founded by Benjamin Franklin, the Postal Inspection Service has a long, proud, and successful history of fighting criminals who attack and misuse our nation's postal system to defraud, endanger, or otherwise threaten the American public.



Postal Inspectors are federal law enforcement officers who carry firearms, make arrests, execute federal search warrants, and serve subpoenas. Inspectors work closely with U.S. Attorneys, other law enforcement agencies, and local prosecutors to investigate postal cases and prepare them for court. Postal Inspectors enforce roughly 200 federal laws covering investigations of crimes that adversely affect the postal system including mail fraud, money laundering, and drug trafficking.

For more information on the Postal Inspection Service, visit www.postalinspectors.uspis.gov.



United States Department of Defense, Criminal Investigative Service

The Defense Criminal Investigative Service (DCIS) is the criminal investigative arm of the Department of Defense (DoD) Office of Inspector General. DCIS is responsible for protecting America's warfighters by conducting investigations in support of crucial national defense priorities. These investigations include terrorism, protection of Defense technology, substandard or defective products destined for the use of our warfighters, cyber crimes and computer intrusions, major thefts, and major procurement fraud including bribery, public corruption, money laundering, and kickbacks. Our vision is to remain a versatile, responsive, and respected premier federal law enforcement agency demonstrating excellence in all aspects of our operations.



DCIS has statutory law enforcement authority based on Title 10 United States Code 1585 (a); consequently, every agent is designated by law as a federal law enforcement officer. DCIS has 6 field offices and 40 subordinate offices that employ approximately 325 agents in the United States and overseas, including Kuwait and Iraq. Additionally, in July 2007, the DoD Office of the Inspector General opened a field office in Afghanistan.

For more information on the Defense Criminal Investigative Service, visit www.dodig.osd.mil/INV/DCIS.





Appendix B: The Treasury Forfeiture Program

The Treasury Forfeiture Fund (TFF) was established in 1992 as the successor to what was then the Customs Forfeiture Fund (See 31 U.S.C. § 9703). The TFF is administered by the Treasury Executive Office for Asset Forfeiture (TEOAF) and is the receipt account for the deposit of non-tax forfeitures made by the following member agencies:

- United States Department of the Treasury
 - Internal Revenue Service, Criminal Investigation
- United States Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - U.S. Customs and Border Protection
 - U.S. Secret Service
 - U.S. Coast Guard

The creation of the TFF brought together all then-Treasury law enforcement agencies. Although some bureaus were subsequently transferred to the Department of Homeland Security by the Homeland Security Act of 2002, they remain participants of the TFF.





Appendix C: Glossary and Abbreviations

AFML Online: Asset Forfeiture and Money Laundering Online
AFMLS: Asset Forfeiture and Money Laundering Section
AFMS: Asset Forfeiture Management Staff
AG: Attorney General
AGAC: Attorney General's Advisory Committee
ATF: Bureau of Alcohol, Tobacco, Firearms and Explosives
AUSA: Assistant United States Attorney
BSA: Bank Secrecy Act
CAFRA: Civil Asset Forfeiture Reform Act of 2000
CART: Computer Analysis and Response Team
CATS: Consolidated Asset Tracking System
DAG: Deputy Attorney General
DEA: Drug Enforcement Administration
DOJ: Department of Justice
DS: Bureau of Diplomatic Security, United States Department of State
EOUSA: Executive Office for United States Attorneys
FATF: Financial Action Task Force
FBI: Federal Bureau of Investigation
FDA-OCI: Food and Drug Administration, Office of Criminal Investigations
FinCEN: Financial Crimes Enforcement Network
FLU: Financial Litigation Unit
Form 8300: Report of Cash Payments Over \$10,000 Received in a Trade or Business
IEEPA: International Emergency Economic Powers Act
ICE: Immigration and Customs Enforcement
IMF: International Monetary Fund
IRS-CI: Internal Revenue Service, Criminal Investigation
IT: Information Technology
JMD: Justice Management Division
JTTF: Joint Terrorism Task Forces
Kleptocracy: A government that extends the personal wealth and political power of government officials and the ruling class (collectively, kleptocrats) at the expense of the population.
LECC: Law Enforcement Coordinating Committee
MLAT: Mutual Legal Assistance Treaty
OCDETF: Organized Crime Drug Enforcement Task Forces
ODAG: Office of the Deputy Attorney General
OFAC: Office of Foreign Assets Control
OIA: Office of International Affairs
OLA: Office of Legislative Affairs
OPDAT: Office of Overseas Prosecutorial Development and Training
RCFL: Regional Computer Forensics Laboratory
SAC: Special Agent in Charge
SADF: Seized Asset Deposit Fund
SAR: Suspicious Activity Report
SAUSA: Special Assistant United States Attorney



Glossary and Abbreviations (cont.)

SOP: Standard Operating Procedure

UN: United Nations

USA PATRIOT: Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism

USAO: United States Attorneys Offices

USDA-OIG: United States Department of Agriculture, Office of Inspector General

USMS: United States Marshals Service

USPIS: United States Postal Inspection Service

VNS: Victim Notification System





U.S. Department of Justice
Asset Forfeiture Program



Taking the Profit Out of Crime

January 2008