



Attorney General Doug Peterson

News Release

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Lincoln--Late last year, Nebraska Attorney General Doug Peterson learned of examples of questionable civil asset forfeitures in Nebraska. In response, the AG's office met with the ACLU of Nebraska in November with the goal of repairing Nebraska's forfeiture system.

The Attorney General's office was largely responsible for the original version of LB1106, which brought about broad support from both law enforcement and civil liberties organizations.

The bill advanced by the Legislature today was substantially amended by the Judiciary Committee. These changes were made without consultation from members of the AG's office, county attorneys and law enforcement.

The Attorney General's office has been engaged for weeks with the bill's introducer, the Speaker of the Legislature, numerous senators, the ACLU and law enforcement officials to make corrections in the committee's amendment and achieve a consensus. A consensus that would protect private property but does not return the ill-gotten gains of a crime back to drug traffickers and child pornographers.

Law enforcement is concerned that the reporting requirement, as drafted, simply will not work. An additional concern is the so-called anti-circumvention provision is pre-empted by federal law according to 8th and 10th Circuit precedent.

It is law enforcement's hope that legislators would take time to understand these complexities and would reconsider the merits of the bill before continuing to advance it.

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