

ASSET SHARING

FEDERAL

For the most part, Federal Sharing is a 80% Seizing Agency - 20% Federal Entity Split. The exception to this is when another law enforcement agency has an invested participation (canine assistance, etc.) whereas a % of the state share is provided to the assisting agency. In most cases, a 10% share is given to the assisting agency.

Federal Forfeitures may be handled criminally or civilly. Property is indicted in criminal forfeitures.

REGULATION

Regulation falls under the authority of the United States Attorney for that region.

STATE

For the most part, State Sharing results in a 70 – 80% for Seizing Agency – 10 +/- % for County Attorney and 10% for the Attorney General’s Office. The County Attorney Share will fluctuate from County to County sometimes resulting in a 20% or more shares.

Iowa Administrative Rule (Attorney General [61] Chapter 33.5 (3) states: In the event of a cash forfeiture in excess of \$400,000.00, amounts over \$400,000.00 shall be apportioned as follows: 45% to the seizing agency or agencies; 45% to other law enforcement agencies within the region; and 10 % to be retained by the department.

Forfeitures under Iowa Law are Civil Matters, separate from criminal actions.

REGULATION

Rules are promulgated by the Iowa Attorney General’s Office with individual cases handled by the County Attorney for that County.