

ANTHONY M. DeLUCA, MEMBER

115 IRVIS OFFICE BUILDING
P.O. BOX 202032
HARRISBURG, PENNSYLVANIA 17120-2032
PHONE: (717) 783-1011
FAX: (717) 772-9937

7205 SALTSBURG ROAD
PITTSBURGH, PENNSYLVANIA 15235
PHONE: (412) 793-2448
FAX: (412) 793-7495



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

INSURANCE, CHAIRMAN
GAME & FISHERIES

DEMOCRATIC POLICY
LEGISLATIVE BUDGET & FINANCE COMMITTEE

CAUCUSES

ARTHRITIS & OSTEOPOROSIS CAUCUS
AUTISM CAUCUS
CHILDREN'S CAUCUS
COAL CAUCUS
FIREFIGHTERS' & EMERGENCY
SERVICES, CHAIRMAN EMERITUS
STEEL CAUCUS

MEMO

January 11, 2011

TO: All House Members

FROM: Rep. Tony DeLuca

TD

SUBJECT: Proposed legislation – drug forfeiture funds (HB 652 of 2009)

In the near future I will be re-introducing legislation amending Title 42, the Judicial Code, to require that whenever a municipal police agency was substantially involved in the seizure of property ultimately forfeited by the court, the proceeds shall be distributed so as to allocate at least 25% of the proceeds of any sale of said property to that municipal police agency. If more than one such agency was involved, the court is then directed to determine how that 25% of the proceeds shall be distributed between those local agencies.

As we continue our war against illegal drug use and sales, in many instances the county in which the case ultimately comes to trial, reaps the entire benefit of any sale proceeds of property forfeited at conviction. In some cases, that can be a substantially large sum of money.

The fact is that in most cases, the local police force, in a municipality, a township or a borough, for example, contributed a good deal of man-hours, and equipment in the events that led up to, and including, those arrests. However, the county is not required to share any of the proceeds it receives from property forfeiture sales with those local police agencies, even though they assisted them with the investigation and/or the arrest.

My bill would simply require that at least 25% of any proceeds from property forfeitures be shared with the local police agencies that were involved in the case. This is simply to recognize the time and money these local agencies spend in such cases, but may not receive the benefit of any proceeds gained.

If you would like to add your name as a co-sponsor to this legislation, please send an email to ldolfi@pahouse.net. Thank you.