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Law Enforcement

Asset Forfeiture Takes a Front Seat in Philly

If drug dealers threaten a neighborhood in North Philadelphia, they might end up without any place to live and out of business fast.

With the area's dilapidated and abandoned houses making it easier for drug dealers to make their living, the district attorney's (D.A.'s) office decided to put a new twist on an old idea. Asset forfeiture is often used to take cars, guns, or money away from criminals, but real property asset forfeiture had only been used when the property had value. Now, in the two Weed and Seed sites in this area, the D.A.'s office is using asset forfeiture of real property (e.g., homes, businesses, bars) as a new tool to aid law enforcement. The idea has gained momentum over the past few years, but the approach is still new and is not being implemented in any of the counties surrounding Philadelphia, according to Scott Sigman, an assistant D.A. with the Special Narcotics Prosecution Unit.



A building used by drug dealers is sealed.

Drug dealers have been using most of the homes seized in the Weed and Seed areas as havens and places of business. Sigman believes asset forfeiture of real property should be used in every drug case involving a search warrant of a house or business, especially houses that have to be demolished at the expense of the city and have no real economic value.

"Asset forfeiture of real property fits the Weed and Seed model," Sigman explained. If drug dealers are just arrested, then that's only weeding, but if you add the asset forfeiture component, it provides the time needed to implement the seeding side, he said. "Arrest alone will not solve the problem."

The approach works in this area because of the large number of dilapidated and/or abandoned houses used in drug dealing, very strict punishments for drug dealers, and the support of the D.A.'s office. Sigman, who has worked as a Weed and Seed prosecutor since 1998, attempts to litigate forfeiture against five properties per site every month. In a nod to the success of the initiative, two asset forfeiture assistant D.A.s—one for each site—joined the office this year.

A common scenario that illustrates how the community works with law enforcement begins with residents providing tips to the police regarding drug dealers inside properties. The police then investigate the tips, conduct surveillances, make undercover purchases and/or use confidential informants to

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make purchases, and then obtain a search and seizure warrant. The information is then sent to the D.A., who charges the defendant.

In most cases that Sigman encounters, a defendant gets arrested but is out on bail before the police even finish processing the arrest paperwork. That defendant usually goes right back to selling drugs in the same area or someone else is sent in to replace the dealer who was arrested if the defendant cannot make bail. But by using asset forfeiture, the house or business that was connected to the drug selling is sealed by county detectives, so the drug dealer must find a new home and a new location to run the drugs. If the drug dealer enters the property, he or she will be arrested for criminal trespass.

In some cases, forfeited properties are donated back to the community for use as community centers, gardens, and Safe Havens. In other cases, properties are sold at auction to prescreened buyers who have never been straw purchasers for drug dealers and have no drug convictions.

On a block-by-block basis, the reaction from the community has been good, according to Sigman. Although in some cases the drug dealing may have moved just one block over, one block has been reclaimed. With effective seeding and community support, the dealers will never return. But there remains a lot of work to be done.

"Drugs and drug dealing are so rampant in our Weed and Seed area, many people don't see the small growing impact," Sigman said.

Sigman believes he has made a dent in the dealers' distribution network and that has hurt street dealers. The asset forfeiture initiative also has brought about a better relationship between the D.A.'s office and the Weed and Seed sites, he said.

For further information, contact:

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