Department of Justice and Department of the Treasury

Request for Adoption of State or Local Seizure

Federal Use Only

Asset Identifier: _____ Agency Case Number: _____ Agency Seizure Number: _____

Seizure Date: _____ Date Request Received: _____

- Federal Adoptions of state or local seizures are limited to firearms, ammunitions, explosives, and child pornography instrumentalities.
- Request must be submitted to the federal investigative agency within 30 calendar days of the state and local seizure date unless circumstances merit a waiver, which must be attached.
- Federal investigative agency shall review all requests for adoptions.
- Requests for adoption of assets other than firearms, ammunition, explosives, and child pornography instrumentalities must be forwarded to the Asset Forfeiture and Money Laundering Section or the Treasury Executive Office for Asset Forfeiture for approval.

Name of Requesting State or Local Agency:

NCIC Number of Requesting State or Local Agency:

Contact Person: Title:

Telephone Number: Email:

Date of Seizure: Date of Request:

Delay Requested in Processing?: Yes ☐ No ☐

Reason:

Description of Seized Property:

Is the seized property firearms, ammunition, explosives, or child pornography instrumentalities?

Yes ☐ No ☐

If no, explain the compelling circumstances and public safety concerns justifying approval of adopting these assets:

Was property seized pursuant to state warrant?

Yes ☐ [Attach a copy] No ☐

If yes, explain circumstances and all state actions to date (e.g., notice, due process provided, court action):

Is a state turnover order or other equivalent document required under state law?

Yes ☐ [Attach a copy] No ☐

Forfeitures Follow the Prosecution

- As a general rule, if a state or local agency has seized property as part of an ongoing state criminal investigation, and, if the criminal defendants are being prosecuted in state court, the forfeiture action should also be pursued in state court.

Has a federal or state criminal case been initiated?

Yes ☐ No ☐

If yes, please provide the following:

State ☐ Case #: District Attorney:

Federal ☐ Case #: Assistant U.S. Attorney:

Has a state forfeiture action been initiated?

Yes ☐ No ☐

If yes, provide the following:

Case #: District Attorney:

Has a state or local prosecutor declined to proceed with forfeiture under state law?

Yes ☐ No ☐

If yes, provide name of state or local prosecutor and declination date:

Name: Date:

Explain reasons for declination:

Has another federal agency been contacted and declined to proceed with this forfeiture under federal law?

Yes ☐ No ☐

If yes, provide name of agency contact and declination date:

Name: Date:

Agency:

Explain reasons for declination:

Attach copies of pertinent investigative or arrest reports and copies of any affidavits filed in support of a seizure warrant. If not attached, explain why relevant documents are not included:

To be Completed by Federal Investigative Agency

Recommend Adoption: ☐ *Adoption is in accordance with general and local policy.*

Decline Adoption: ☐

Reason for declination:

Investigative Agency Reviewing Official:

Signature Date

Immediate Probable Cause Review needed if following factors are <u>not</u> present:

- Seizure was based on judicial warrant
- Arrest made in connection with seizure
- Drugs or other contraband were siezed from the person from whom the property was seized

Investigative Agency Headquarters Approval:

Signature Date