

Michigan State Police Forfeiture Worksheet

Incident No.	
Date Seized	Claim Deadline

FORMS

- **CID-012** The Notice of Seizure and Intent to Forfeit is used to provide notice property was seized under a forfeiture statute.
- **CID-013** The Record of Seizure is used to list property that has been seized for forfeiture.
- **CID-014** The Notice of Claim is completed only when a claimant wishes to file a claim to property seized.
- **CID-015A** The Forfeiture Cash/Expense Report must be submitted upon completion of the forfeiture.

INITIATING A FORFEITURE

YES NO

Is property being seized pursuant to the Controlled Substances Article of the Public Health Code?

If yes and the total value of property is under \$50,000:

Complete the CID-012 and CID-013. Provide a copy of the CID-013 to the prosecutor.

A CID-012 shall be served on the person in possession of the property or money. When lienholders or multiple owners are involved, these subjects shall be served as soon as possible.

Wait 20 days to allow owner to file a claim on the seized property.

Claim not filed - See directions below under Closing a Forfeiture

Claim filed - See instructions below under Notice of Claim Filed.

If yes and total value of property is over \$50,000 or is real property:

Immediately notify the prosecutor of the seizure.

Complete the CID-013 and provide a copy to the prosecutor.

Is property being seized pursuant to the Stolen, Embezzled, or Converted Property Chapter of the Penal Code (Chop Shop)?

If yes, contact the prosecutor immediately to schedule seizure hearing. If a seizure hearing is not scheduled within 14 days after seizure, the property must be returned to the person from whom it was seized. Complete the CID-013 and provide a copy to the prosecutor. Service of a CID-012 is not required by law.

Is property being seized pursuant to the Gambling Chapter of the Penal Code, the Gaming Control and Revenue Act, or the Revised Judicature Act of 1961 ("Omnibus")?

If yes and the property seized is personal property:

Complete the CID-012 and CID-013. Provide a copy of each to the prosecutor.

A CID-012 shall be served upon each of the following persons:

if charges have been filed against a person for a crime, the person charged;

each person with a known ownership interest in the property;

each person holding a security interest, or each person having a lien that appears on the certificate of title or is on file with the secretary of state, if the property is a mobile home, motor vehicle, watercraft, or other personal property;

each holder of a preferred mortgage of record of a watercraft more than 28 feet long or a watercraft that has a capacity of 5 net tons or more;

each person whose security interest is recorded if the property is an aircraft, aircraft engine, or aircraft propeller;

each person with a known security interest in the property; and

each victim of a crime.

If yes and the property seized is real property:

Immediately notify the prosecutor of the seizure and intention to forfeit and dispose of the property.

Complete the CID-013 and provide a copy to the prosecutor.

PROPERTY AND CASH

YES NO Was Cash Seized?

If yes, complete the Automated Incident Capture System (AICS) Property Report and ADM-027 Official Receipt. The cash receipt number must be entered in AICS.

Cash shall not be deposited but retained in the property room and available for examination as follows:

1. Controlled substances - By an attorney for the person who is charged with the crime involving or related to money seized for a period of 60 days after service of the CID-012
2. Chop Shop - By an attorney for a person charged with a violation of MCL 750.535a or related to money seized for a period of 60 days after service of the notice of hearing.
3. Gambling/Gaming/Omnibus - By an attorney for a person entitled to notice as listed above under "Initiating A Forfeiture" for a period of 60 days after service of the CID-012.

PROPERTY AND CASH

After the required holding period has run:

Cash Not Needed for Evidence

Deposit seized money in State of Michigan Treasurers Account.

Update AICS.

Complete an ADM-028 and immediately forward it along with two deposit receipts to Financial Services.

Cash to be Held for Evidence:

This is done only when the specific cash itself must be retained at the request of the prosecutor, i.e. the cash is needed for court. The cash shall be retained in the property room, per Official Orders.

YES NO Was Property Seized?

If yes, list property separately in AICS, i.e., mobile phones, jewelry, pagers and vehicles. All property seized for forfeiture shall be labeled and held as evidence in accordance with Official Orders pending disposition of the criminal and forfeiture case. Controlled substances shall not be listed on the forfeiture form.

NOTICE OF CLAIM FILED

YES NO

Is the Notice of Claim being filed prior to the claim deadline?

Have the claimant complete and sign a CID-014 listing the items being claimed.

Give the claimant a copy of the CID-014.

Contact the prosecutor immediately to initiate court action and provide a copy of the CID-014.

CLOSING A FORFEITURE:

- Property is Forfeited - No claim filed (Administrative Forfeiture)
- Court Order (federal or state) has been obtained to dispose of property
- Property is returned to owner
- Consent Agreement

YES NO

Are criminal charges pending and/or anticipated? If yes, obtain approval of the prosecutor on CID-013, prior to disposing of property.

Is there property or cash which has been held pending forfeiture?

Deposit any cash which was being held for evidence. Complete an ADM-028 and forward it immediately with two deposit receipts to Financial Services.

Sale or auction of the remaining property: Record the amount received for each item in AICS in the "Forfeiture Use Only" column.

Complete an ADM-027 Official Receipt and deposit the proceeds in the State of Michigan Treasurers Account.

Complete an ADM-028 and forward it immediately with two deposit receipts to Financial Services.

If property is being sent to DTMB for auction, complete a DTMB-0222. Obtain signature on AICS receipt of person receiving property. File copy of DTMB-0222 with incident report.

Complete CID-015A:

Complete Section 1 of CID-015A, listing any cash deposits that have been made. Do not list property that was returned or kept for official use.

Complete Section 2 of CID-015A listing all expenses that must be paid as a result of this forfeiture.

You must show a Name, Address, and SS#, Federal ID# or a Vendor ID# for each payee listed. Payment of expenses will be handled by Financial Services, based on the CID-015A.

Send the completed packet to Financial Services:

Completed CID-015A

Copy of the court order or consent agreement, if any.

Any original bills you have which will correspond to your entry on the CID-015A "expense" column.

A machine copy of the DTMB-0222 for any property which was turned over to DTMB for auction.

NOTE: A Multi-jurisdictional Task Force shall handle all cash transactions, including the use of forms and the sale of property, according to its internal policies and procedures as approved by its Board of Directors.

AUTHORITY: MCL 333.7523 COMPLIANCE: Voluntary
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