



# Illinois Association of CHIEFS OF POLICE

January 24, 2024

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2023-2024**

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Dear Senator,

The Illinois Association of Chiefs of Police (IACOP) and its Board of Officers write to you to express our strong opposition to H.R. 1525, known as the *Fifth Amendment Integrity Restoration (FAIR) Act of 2023* in its current form. This proposed legislation, as currently drafted, will be a gift to drug traffickers and other criminal organizations while at the same time impeding the ability of law enforcement to protect our communities amid the worst drug overdose crisis the United States has ever experienced. We urge you to vote no on the FAIR Act of 2023.

H.R. 1525 includes several provisions that will make it significantly more challenging for law enforcement to utilize civil asset forfeiture. These proposed reforms are exceptionally burdensome compared to how other civil proceedings are conducted. This will only curb the use of civil asset forfeiture, regardless of the merits of the associated case, and will not improve fairness or promote civil rights. Seizing the illicit proceeds garnered from the sale of deadly drugs trafficked across the nation and in our neighborhoods by transnational and local drug traffickers and using those same ill-gotten gains to combat these often violent and well-funded groups, is an effective approach. It changes the criminal's risk vs reward paradigm and makes it much harder for criminal actors to further their illicit activities.

If H.R. 1525 passes into law it would reduce cooperation between federal, state, and local law enforcement at a time when this collaboration is critical. Asset forfeiture and the equitable sharing program allow state and local law enforcement to participate in joint taskforces, properly equip officers, conduct training, and upgrade technology as well as support rehabilitation efforts and community-based programs. Ending the equitable sharing program would have serious adverse effects on multi-agency task-force viability, the very task forces that focus on organized criminal activity, and the most serious violent offenders. The radical changes proposed in the FAIR Act will be damaging to law enforcement's efforts to answer the threat posed by international drug traffickers, criminal gangs, human traffickers, cyber criminals, and all levels of organized crime.

The critics of civil asset forfeiture argue that the process is routinely abused by law enforcement. While isolated incidents have occurred, they are by far the exception

and not representative of civil asset forfeiture overall. These “policing for profit” assertions are wildly inconsistent with the reality of how this process works.

We, the ILACP’s more than 1,400 members, as well as our federal and state colleagues, are ardently opposed to any abuses of the program. We fully support having robust policies and procedures in place to mitigate the risk of abuse or misconduct. If misconduct does occur those responsible should always be held accountable for their actions. Furthermore, we welcome discussion on how to make further adjustments to the program. We also advocate that any agency’s misuse of the civil asset forfeiture program be met with suspension or exclusion from program participation.

Law enforcement agencies across the country and the ILACP Board of Officers stand ready to assist in the dialogue to update policies to ensure abuses of the civil asset forfeiture and equitable sharing program cannot occur in the future.

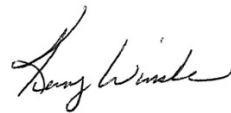
In closing, our association is passionately opposed to the FAIR Act as it is currently written. H.R. 1525 will do more harm than good for the public we are sworn to protect. Civil asset forfeiture should remain a viable tool to make it harder for criminals to do business. We instead request you vote no to H.R. 1525 and be open to a dialogue between our Board of Officers and yourself on how to improve the current civil asset forfeiture program.

Thank you for your attention to this matter. Please do not hesitate to contact us if we can be of assistance.

Respectfully,



Laura King  
President, ILACP



Kenny Winslow  
Executive Director, ILACP