

Civil forfeiture a nonissue in Clatsop County

By KYLE SPURR
The Daily Astorian

U.S. Attorney General Eric H. Holder Jr.'s order last week that prohibits local and state law enforcement from using a federal program to seize civil property unless the owner is convicted of a crime has little impact in Clatsop County, according to local law enforcement.

Astoria Police Chief Brad Johnston said the act of civil forfeiture, where police take assets from people suspected of a crime, rarely occurs in his department and across the county.

"I'm not sure what the attorney general is trying to ac-

complish with that," Johnston said. "We as an agency have not had many forfeiture cases in decades. It will have very little effect on us, except when we are working on substantial cases and having that available to us is good, but not necessary."

The last time Astoria Police had a civil forfeiture case was in 1993, Johnston said, when the department worked with U.S. Customs and Border Protection to seize property from a Washington man accused of child pornography.

In Holder's decision, multiple exceptions are allowed, including child pornography, illegal firearms, ammunition and explosives.

The U.S. Department of Jus-

tice has received criticism over the years for accepting seized assets from the local and state law enforcement through its Equitable Sharing Program.

The program has allowed some state and local law enforcement to bypass state laws that prohibit keeping proceeds from civil forfeiture.

The Washington Post exposed widespread abuse of the program, mainly created as part of the war on drugs.

Since 2008, the Post reported, thousands of local and state police agencies have made more than 55,000 seizures of cash and property worth \$3 billion under the Equitable Sharing Program.

The program allows police departments and drug task forc-

es to keep up to 80 percent of the proceeds from seizures, with the rest going to federal agencies.

Clatsop County District Attorney Josh Marquis said there have been some "horror stories" of law enforcement setting up roadblocks and forcing people into warrantless searches to seize property, but such misuse has never happened in Clatsop County.

"The idea of federal sharing of forfeitures has been a non-issue here in Clatsop County as long as I've been district attorney," Marquis said. "I don't remember any significant forfeiture shared with us."

Marquis recalls a state ballot measure about a decade ago that eliminated civil forfeiture in

Oregon. The measure has since been revisited, but still offers a strict standard.

In Oregon, seized property must be related to a crime, with the majority of funds going toward treatment services rather than enforcement.

Law enforcement agencies in Clatsop County and statewide have little incentive to pursue civil forfeiture since the cost does not equal the benefit, Johnston said.

Forfeiture cases involve storage, maintenance, court and other costs to the law enforcement agency involved.

"Our state forfeiture laws have really been changed to the point where they are not something that are feasible for local

agencies to pursue," Johnston said. "That is because of the cost involved in turning them into cash resources and split with treatment instead of enforcement."

According to The Washington Post's analysis, for hundreds of police departments and sheriff's offices, the seizure proceeds accounted for 20 percent or more of their annual budgets in recent years.

Johnston said seizures account for nothing in his department's budget, and any fines are included in the city's budget, which does not translate to the police budget directly.

"We just haven't come across things worthy of being seized," Johnston said.

Obama's State of the Union draws unsparing reviews from Republicans

WASHINGTON (AP) — President Barack Obama's State of the Union address drew unsparing morning-after reviews today from majority Republicans in Congress, including a rebuke on nuclear talks with Iran and a lament from Senate Republican leader Mitch McConnell that a high-profile speech can be about "more than veto threats of strident partisanship."

McConnell, R-Ky., said the Democratic president "may not be wild about the people's choice of a Congress. But he owes it to the American people to find a serious way to work with the representatives they elected."

Obama's first State of the Union address with Congress under Republican control was studded with veto threats. He defiantly unfurled an agenda on taxes, spending, social programs, energy and foreign policy notably at odds with Republican priorities. He did end with a plea for the two parties to "debate without demonizing one another" and find compromise where possible.

The quick challenge on Iran came courtesy of House Speaker John Boehner, who announced he had invited Israeli Prime Minister Benjamin Netanyahu to address a joint meeting of Congress on Feb. 11.

Assuming the Israeli leader accepts, he would stand at the same podium in the House of Representatives where the pres-



AP Photo/J. Scott Applewhite
Vice President Joe Biden and House Speaker John Boehner of Ohio applaud President Barack Obama on Capitol Hill in Washington, Tuesday, during his State of the Union address before a joint session of Congress.

ident spoke Tuesday night — with a notably different message.

Netanyahu has been an outspoken opponent of the direction of negotiations with Tehran that the Obama administration is involved in. Administration officials say the hope is to prevent Iran from obtaining a nuclear weapon.

The Israeli leader says he fears the United States and other countries will give away too much in the talks, and the existence of his country will be at risk.

The invitation to Netanyahu wasn't the only Republican rebuttal on the horizon at the dawn of a new Congress under GOP control.

The Senate is debating legislation to authorize construction of the Keystone XL pipe-

line despite a veto threat, and the House has votes scheduled this week on two other bills the president has signaled he will reject. One would ban abortions for women more than 20 weeks pregnant; the other would give the government one year to act on construction requests for natural gas pipelines.

The speech itself was memorable for a split-screen sort of response, in which Democrats on one side of the House chamber repeatedly rose to their feet and applauded the president, while Republicans who intend to vote down his proposals sat silently. When Obama promised to send Congress a budget "filled with ideas that are practical, not partisan," a disbelieving snicker swept through the rows of Republicans.

"We're not going to raise taxes. He knows we're not going to raise taxes. So I'm kind of surprised he paid lip service to that," Wisconsin Rep. Paul Ryan, the chairman of the tax-writing House Ways and Means Committee, said afterward.

The centerpiece of Obama's economic proposals was an increase in the capital gains rate on couples making more than \$500,000 annually, to 28 percent, coupled with higher taxes on some estates and a fee on the roughly 100 U.S. financial firms with assets of more than \$50 billion.

Much of the \$320 billion that would be raised would be ticketed for the middle class, in the form of a \$500 tax credit for some families with two working spouses, expansion of the child care tax credit and a \$60 billion program to make community college free.

For that, Obama drew condemnation from Senate Republicans.

"Calling for expanding the death tax and raising the rates on capital gains, like the president did tonight, makes clear this White House is more about redistribution and populist class warfare than about actual bipartisan tax reform," said GOP Sen. Orrin Hatch of Utah. As chairman of the Senate Finance Committee, he will have an influential role in negotiations on any tax overhaul legislation in the next two years.



Submitted
The U.S. Postal Service will issue a U.S. Coast Guard forever stamp in 2015. The stamp features a MH-65 Dolphin helicopter and the USCGC Eagle.

Coast Guard honored with Forever stamp

Oregon artist painted image

The Daily Astorian

The U.S. Coast Guard will be honored this year with a Forever stamp that features an oil painting by an artist who lives in Oregon.

The stamp shows the cutter Eagle — a three-masted ship known as "America's Tall Ship" — and the guard's standard MH-65 Dolphin rescue helicopter.

William S. Phillips, an artist who lives in Ashland, is known for his paintings of American nostalgia and ci-

vilian and military aviation. The Coast Guard stamp is expected to be issued this summer.

Forever stamps by the U.S. Postal Service are equal in value to the current first-class mail one-ounce price.

Other Forever stamps new for this year commemorate the Battle of New Orleans in the War of 1812; the black architect and educator Robert Robinson Taylor; Mexican-born artist Martin Ramirez; and the Special Olympics.

Check out the Coast Guard Forever stamp on the guard's Facebook page: <http://on.fb.me/1ANShnS>

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