

RECOMMENDATIONS

The Office of Attorney General has identified three potential areas to improve reporting.

1. N.D.C.C. § 19-03.1-36.8(1) and (9) place a requirement on law enforcement to file a report with the Attorney General. N.D.C.C. § 19-03.1-36.8(3) places a requirement on every prosecutor to provide a copy of the judgment to the Attorney General. This reporting requirement is duplicative. The judgments are publically available and can be accessed by the Office of Attorney General without any extra requirements on local prosecutors. Removing subsection 3 of N.D.C.C. § 19-03.1-36.8 would reduce the burden on local prosecutors and would not impair the compilation of statistics on Civil Asset Forfeiture.
2. N.D.C.C. § 19-03.1-36.8 requires reporting on all items forfeited. Items such as alcohol were included in this initial report. A *de minimis* exception would exclude items worth less than \$50 such as alcohol or tobacco. This exception would reduce the reporting burden on law enforcement and not meaningfully change public oversight.
3. N.D.C.C. § 19-03.1-36.8(9) requires law enforcement to submit reports to the Attorney General within 30 days after the report is due. Changing the reporting requirement to annually would reduce any confusion and still achieve the desired result.