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**City Hall**  
**8500 Santa Fe Drive**  
**Overland Park, Kansas 66212**  
**[www.opkansas.org](http://www.opkansas.org)**

Date: February 15, 2023  
To: Chairman Patton and the House Committee on Judiciary  
From: City of Overland Park  
Re: Written Testimony in Opposition to HB 2380

Thank you for accepting this testimony on behalf of the City of Overland Park in opposition to HB 2380.

The City supports the use of asset forfeiture as an important component in reducing financial gains from criminal acts while providing civil due process. All assets forfeited, or the proceeds of the sale of the same, should remain with the local government that seizes the property.

HB 2380 would direct funds away from law enforcement agencies to the state general fund and add unnecessary proceedings to the asset forfeiture process. The City opposes these changes because they convert the asset forfeiture process into an unfunded mandate on local law enforcement agencies and increase the probability that bad actors will be able to retain the benefits of criminal activity.

The City also opposes the requirement of a criminal conviction prior to asset forfeiture being allowed. Criminal cases can sometimes take years to proceed through the system, allowing for the value of the items seized to be highly depreciated as they would have to remain in storage. If the money or items were allowed to remain in the custody of the accused, they would have little to no reason to ensure their safekeeping and upkeep. The current civil forfeiture process allows the owner of seized assets to object to their forfeiture, and the process should remain as is.

Thank you for allowing the City to submit testimony in opposition to HB 2380. The City respectfully requests that the Committee not advance HB 2380 to the full House.