

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Criminal Jurisprudence  
s/c: Asset Forfeiture  
For HB 3758  
Compiled on: Tuesday, April 18, 2023 9:57 AM

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(SUBCOMMITTEE: ASSET FORFEITURE)  
Hearing Date: April 18, 2023 8:00 AM

Barry Smith  
Self  
Dallas, TX

Civil asset forfeiture is, always has been, and always will be an oppressive violation of due process. It doesn't matter how "useful" it is. To change it to criminal asset forfeiture would restore due process.

Amite Dominick, DR  
TPCA  
Rockport, TX  
For this bill

Joseph Roberts  
Libertarian Party of Dallas County  
Dallas, TX

My comments are in support of this bill. Civil asset forfeiture, in every way, is a violation of the civil rights of citizens of Texas. Our entire judicial system is founded on the principle of "innocent until proven guilty," but innocent people routinely have their assets and property stolen by (and often appropriated by) law enforcement officers who arbitrarily decide that there is a "suspicion" that the assets resulted from criminal activity or are intended to be used in the commission of a crime.

It is not illegal to carry thousands of dollars of cash on one's person. It is not illegal to own vehicles or real estate that were legally acquired. Law enforcement officers are not judges and juries who have a legal right to determine mens rea or to act on one's "gut feelings" about whether property should be seized or not. Additionally, this entire process enables police misconduct, in which officers will seize property for no other purpose than in hopes of making use of it or adding it to the agency's coffers. There are few practices in current law enforcement that are as blatantly un-Constitutional as civil asset forfeiture, and this bill rights that wrong against the citizens of Texas and those who visit and travel through our state.