5-09/370.15 - Federal Forfeiture Laws - Controlled Substance Incidents

The federal forfeiture law makes any boat, airplane, or certain vehicles used to facilitate the sale of a controlled substance, subject to forfeiture. Additionally, monies, negotiable instruments, securities, real property, and other things of value can be seized when they are used to facilitate the sale of a controlled substance or when they are the product of illegal controlled substance activity.

The federal forfeiture law allows law enforcement agencies to seize and seek equitable transfer of property, through a federal agency, pursuant to 21 United States Code, section 881, and 19 United States Code, section 1616(c). The responsibility for making the decision to file or not file is vested with the Federal Bureau of Investigation, Drug Enforcement Administration, and U.S. Customs.