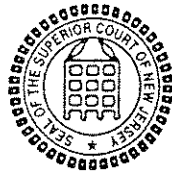


SUPERIOR COURT OF NEW JERSEY



December 11, 2002

G. THOMAS BOWEN
JUDGE

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Dear Counsel:

Re: *State of New Jersey vs. One 1990 Ford Thunderbird, et al*
Docket #CUM-L-000720-99

LETTER OPINION

FINDINGS OF FACT

This comes to the court on the counterclaim of automobile owner Carol Thomas, whose 1990 Ford Thunderbird was the subject of a civil forfeiture action, filed by the Cumberland County Prosecutor. This followed the arrest of Ms. Thomas's son Rex McCaffrey, on charges relating to the distribution of CDS, marijuana.

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In the course of the litigation, the State of New Jersey voluntarily dismissed the forfeiture complaint, but the counterclaim for damages continues, counterclaimant/auto owner challenging the seizure of the vehicle on grounds that the statute under which the seizure took place is violative of the U.S. and New Jersey Constitutions. Both parties move for summary judgment on the basis of the arguments outlined herein.

The challenge comes on precise and narrow grounds, that is, that the New Jersey statutory scheme violates the Due Process Clauses of those constitutions in its provisions whereby the prosecuting authority which seizes property in its investigation and prosecuting of crimes, in this case the Cumberland County Prosecutor's Office, keeps such property, or the cash proceeds of such property, for its own use.

This entitlement of the prosecuting agency applies whether the property is owned by the subject of the action, or is owned by a third party, that party having the burden in the forfeiture action of proving by a preponderance of the evidence that he or she was not involved in or aware of the unlawful activity and did "...all that could reasonably be expected to prevent the proscribed use of the property by an agent." N.J.S.A. 2C:64-5.

The numerical information offered in evidence, is undisputed for purposes of the cross-motions, although the implications of the numbers is in dispute.

There is no dispute that funds or the proceeds of forfeited property utilized or distributed by county prosecutors is subject to reporting requirements to the Attorney General, and that such funds may not, and are not, utilized to pay any salaries, with the exception of paying the salaries of temporary employees hired for a specific function. State of N.J. Brief, Exhibit M, SOP 12:9B, page 5.

The undisputed amount of property forfeited to County Prosecutors (excluding amounts forfeited to the State itself) is \$24,762,802.42, for the three year period 1998, 1999, and 2000. The dollar breakdown per county, for each of

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those years, is also undisputed, and has been attached to this letter opinion as attachment 1, taken directly from the appendix to counterclaimant's brief, attachment B therein.

Also contained in attachment B of counterclaimant's brief, are tables showing the percentage proportions of forfeited funds for all counties, for the same three years, as compared first with total prosecutor's office budget appropriations (attachment 2 herein) and secondly as compared with total prosecutor's office budget appropriations excluding salaries and wages (attachment 3 herein).

These percentages, too, are undisputed, with the comment by the State that these figures and percentages are before any distributions made to law enforcement agencies and other county prosecutor's offices in recognition of their role in related law enforcement activities.

The latter is a reference to that part of the statute which provides that a prosecutor "...shall divide the forfeited property, any proceeds from the forfeiture or any money seized...with any other (participating) entity's law enforcement agency...." N.J.S.A. 2C:64-6.

There is a dispute as to whether for purposes of this analysis, funds or property distributed to other agencies, including municipal police departments, etc., should be included: the State says it should not as the county prosecutor has not ultimately had any use of such property, counterclaimant says it should be included because the county prosecutor in question has the power and discretion to determine such property's course. The State has set forth the amounts of distributed money for each county for the years 1998, 1999 and 2000, and the percentage of the net proceeds after distribution as a percentage of total county prosecutor's budget appropriations for those years, including salaries, wages and also other expenses. Those figures are found in exhibit T of the appendix of the State's cross-motion for summary judgment, and have been attached as attachments 4, 5 and 6 to this opinion for ease of reference.

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A distinction has been drawn as part of a dispute between the parties, between comparing the percentage of forfeited funds of total county prosecutor budgets versus a percentage of their budgets after salaries and wages have been excluded. Counterclaimant contends the latter percentage should be used for this analysis. She says in effect that since forfeited funds cannot be used for salaries and wages, to compare such funds as a percentage of the entire budget would be akin to comparing apples and oranges. The State contends to the contrary.

The figures themselves are not disputed and for purposes of analyzing the validity of the statute. The State's assertion on both these issues will be utilized: the percentage that forfeited funds after excluding distributions to other agencies bears to total county prosecutor budgets will be considered.

The actual uses made by county prosecutors, as described by the State, include (1) rent for a motor pool crime scene facility, office furniture, telecommunications and computer equipment, automobile purchase, fitness and training equipment purchase, a golf outing, food, including food for seminars and meetings, and expenses of law enforcement conferences, at various locations. State brief on cross-motion, Statement of Facts, page 27.

Finally, it is not disputed that the Attorney General's Office has promulgated a series of rules and regulations, authorized by N.J.S.A. 2C:64-6a. These generally constitute "Forfeiture Guidelines", define permissible and non-permissible uses for law enforcement purposes, contain reporting requirements, relate to sharing a distribution to sister agencies, etc. State's Brief at 33 et seq.

All this said, the question looms as follows: do county prosecutors' use for their offices, of property, or the proceeds of property, which actual experience in the years 1998, 1999 and 2000 has constituted an average after distribution to other agencies of 1.97% of total budgets for 1998, 2.32% for 1999, and 2.07% for 2000, mean that the statutory framework under N.J.S.A. 2C:64-1 et seq., violate the permissible limitation on the financial or personal interest of one in a prosecutorial function under Due Process requirements?

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CONCLUSIONS OF LAW

The seizure of contraband or other property used in furtherance of criminal activity and also its forfeiture to the State, has been upheld, even as it applies to persons not the subject of investigation or prosecution. *State vs. 1979 Pontiac Trans Am, Color Grey*, 98 N.J. 474 (1985).

In the *Pontiac Trans Am* case, *supra*, the New Jersey Supreme Court, following the lead of the U.S. Supreme Court in upholding similar statutes, found that the New Jersey forfeiture statute under attack in this case, N.J.S.A. 2C:64-1 et seq., "...survives the constitutional attack that it constitutes an unlawful taking of property without just compensation." *Id.* at 485.

The origin of the theory of constitutional attack here, concerning the provision whereby the seizing authority keeps the property for its own use, N.J.S.A. 2C:64-2, is embedded in the words of the U.S. Supreme Court in its earlier decision, *Marshall vs. Jerrico, Inc.*, 446 U.S. 238, 100 S. Ct. 1610 (1980).

The *Marshall* case, *supra*, involved a section of the U.S. Fair Labor Standards Act which provided that funds collected for violations of the Act would go to the Department of Labor, which enforced the Act. The federal law provided that the assessment of a civil penalty by the Secretary of Labor would not become final if the person charged objected, until a final determination by an administrative law judge in a *de novo* review of all factual and legal issues. *Id.* at 244.

That case involved a claim that because of the retention of the civil penalty by the Department of Labor as reimbursement for cost of enforcement, the Due Process Clause of the U.S. Constitution was violated by the creation of an impermissible risk of bias in the Act's enforcement and administration.

The same argument is made in this case involving the New Jersey Forfeiture Statute, N.J.S.A. 2C:64-1 et seq.

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The Court found that in the Marshall case, it was the administrative law judge who presided over the initial adjudication, and was not merely an appeal "de novo" tribunal of an earlier adjudication, and therefore the Secretary of Labor was engaged solely in a prosecutorial or enforcement function, rather than in a judicial or quasi judicial function. *Id.* at 248.

The U.S. Supreme Court therefore found in the Marshall case that the rigid requirements of neutrality, which was violated in previous cases where a mayor's salary was paid in part by fees and costs levied by him acting in a judicial capacity, or where the mayor's court produced revenue which were...a substantial portion of municipal revenues..." [Tumey vs. Ohio, 273 U.S. 510 (1927) and Ward vs. Village of Monroeville, 409 U.S. 57 (1972)], did not apply in the Marshall case.

Specifically, the Court in Marshall, *supra*, said:

The rigid requirements of "Tumey" and "Ward", designed for officials performing judicial or quasi-judicial functions, are not applicable to those acting in a prosecutorial or plaintiff-like capacity....The distinction between judicial and non-judicial officers was explicitly made in Tumey (citation), where the Court noted that a state legislature may, and often ought to, stimulate prosecutions for crime by offering to those who shall initiate and carry on such prosecution rewards for thus acting in the interest of the statue and the people." *Id.* at 249.

The language in the Marshall case which counterclaimant Thomas says is the basis for the claim of impermissible bias in New Jersey's forfeiture statute follows the above holding. The Court continued:

We do not suggest, and appellants do not contend, that the Due Process Clause imposes no limits on the partisanship of administrative prosecutors.... A scheme injecting a personal interest, financial or otherwise, into the enforcement process may bring irrelevant or

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impermissible factors into the prosecutorial decision and in some contexts raise serious constitutional questions. *Ibid.*

The Court held, then, that those serving a prosecuting or enforcement function were subject to a bar against having a personal or financial interest in the outcome of their prosecution in order to avoid impermissible taint on their neutrality. *Id.* at 250.

But, found the Court, the requirement of neutrality for prosecutors is less strict than for adjudicators, and in the Marshall case said:

“...we need not say with precision what limits there may be on a financial or personal interest of one who performs a prosecutorial function, for here the influence alleged to impose bias is exceptionally remote. No government official stands to profit economically from vigorous enforcement of the child labor provisions of the Act. The salary of the assistant regional administrator is fixed by law. *Ibid.*

The Court continued:

Nor is there a realistic possibility that the assistant regional administrator's judgment will be distorted by the prospect of institutional gain as a result of zealous enforcement efforts. As we have noted, the civil penalties collected under (the Act) represent substantially less than 1% of the budget of the ESA (Employment Standards Administration of the Department of Labor)...Unlike in *Ward and Tumey*, it is plain that the enforcing agent is in no sense financially dependent on the maintenance of a high level of penalties.¹

1. Civil penalties collected for violations of the child labor law “shall be applied toward reimbursement of the costs of determining the violations and collecting and assessing such penalties. *Id.* at 245. Funds are allocated pursuant to the Act, Section 9a, 29 U.S.C.s9a”...deposited to the credit of the appropriation of that bureau, service, office, division or other agency of the Department of Labor which supervised such work.” *Id.* at 245

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Furthermore, since it is the national office of the ESA, and not any assistant regional administrator, that decides how to allocate civil penalties, such administrators have no assurance that penalties they assess will be returned to their offices at all. *Id.* at 251.

Here then, is the nub of the controversy in the case before us: does the statutory arrangement of N.J.S.A. 2C:64-1 et seq. for retention by prosecutors of forfeited property exceed the limitation on the financial or personal interest of one in a prosecutorial function which may be allowed in order to avoid a due process violation?

It does.

First, it should be noted that utilizing the interpretations of the figures that the State would have the court utilize, the actual percentages in the various counties of forfeited property compared to total budget, ranges, after zero, in 1998, from 1.14% to 7.17%. It ranges for 1999, from .20% to 5.46%. and it ranges in 2000, from .21% to 6.56% for various counties. See attachments, 4, 5 and 6 herein.

Secondly, there is no statutory or regulatory limit on the dollar amount or percentage total of forfeited funds in any fiscal period, except of course, that it cannot be used to defray certain expenses such as salaries or wages. A monumentally large asset seizure and forfeiture or series of them, could force a percentage skyward.

This court concludes, that the augmentation of the county prosecutors' budgets, as provided under N.J.S.A. 2C:64-1 et seq., as described above, provides to those in prosecutorial functions financial interests which are not remote as to escape the taint of impermissible bias in enforcement of the laws, prohibited by the Due Process clauses of the New Jersey and U.S. Constitution, as the test was described in *Marshall vs. Jerrico, Inc.*, 446 U.S. 238, 100 S. Ct. 1610 (1980).

It must be immediately emphasized that there is no contention that there is direct personal financial gain involved, or possible, to any prosecutor or other employee.

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But that has never, in *Jerrico, Inc.*, supra, or any other case, been the end of the inquiry.

To be sure, *Marshall vs. Jerrico, Inc.*, supra, does not require, for enforcement agencies as it does for adjudicators, the neutrality which is characterized by impartiality and disinterestedness, *Id.* at 242.

But in stating that the enforcement agency in the Marshall case did not exceed the limits on the personal or financial interest of one who performs a prosecutorial function, thus being a "...scheme injecting a personal interest, financial or otherwise, into the enforcement process (which) may bring irrelevant or impermissible factors into the prosecutorial decision..." *Id.* at 249, the Court noted the following: "not only were the civil penalties substantially less than 1% of the budget of the agency as a whole, but the enforcing regional offices actually only were allocated the proceeds of penalties in proportion to the expenses incurred in investigating and prosecuting child labor violations." *Id.* at 251.

In reversing the judgment of the District Court that the applicable provision of the Fair Labor Standards Act violated the Due Process Clause, the Supreme Court found the District Court erred in its conclusion that the statutory scheme tempted an assistant regional administrator to devote an unusually large quantity of resources to enforcement efforts in the hope of obtaining more federal funds for his office. The Supreme Court found there were so many unpredictable contingencies between enforcement and increasing the regional budget funds, that "...it is clear that this possibility is too remote to violate the constraints applicable to the financial or personal interest of officials changed with prosecutorial or plaintiff-like functions." *Id.* at 252.

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Contrast the statutory scheme in Marshall vs. Jerrico, Inc., supra, with the facts in the civil forfeiture statute in New Jersey. A county prosecutor has increased his total appropriated budget up to more than 7% in one year. County prosecutors have augmented training, office equipment, transportation, a wide variety of professional aids and assistants, with the proceeds of their seizures.

Nor is the Supreme Court's cited decision in the 1993 decision, Concrete Pipe and Products of California, Inc. vs. Construction Laborers Pension Trust Fund for Southern California, 508 U.S. 602, 113 S. Ct. 2264 (1993) any precedent for validating such a scheme.

In that case, the contention was that because withdrawal of pension liability of a contributing employer was adjudicated initially by the trustees of the plan, who had fiduciary obligations to beneficiaries of the plan, the Due Process Clause was violated by an adjudicator who was not free from self interest.

Justice Souter, after lengthy analysis, found that the trustees were not the adjudicators in this statutory process. Justice Souter concluded, "The distinction between adjudication and enforcement disposes of the claim that the assumed bias or appearance of bias in the trustees' initial determination of withdrawal liability alone violates the Due Process Clause, much as it did in the similar claim in Marshall vs. Jerrico." Id. at 619.

The only question on this issue in the Concrete Pipe case, supra, was whether compete neutrality on the part of the trustees was required. In finding, that it was not required, because they were not adjudicators, there was no issue presented as to permissible limitations on their bias.

To be sure, a statute whether federal or state, is to be construed, if possible, as Justice Souter noted in the Concrete Pipe case "...as to avoid serious doubt of their constitutionality." Id. at 629:

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When the validity of an act of Congress is drawn in question, and even if a serious doubt of constitutionality is raised, it is a cardinal principle that this Court will first ascertain whether a construction of the statute is fairly possible by which the question may be avoided." Ibid.

In the present situation concerning New Jersey's civil forfeiture statute, N.J.S.A. 2C:64-1 et seq., no such validating construction can be found. In theory and in practice, there is no limitation upon the motivation for enlargement to which a county prosecutor is subject in deciding upon seizure of property. That the actual result may be restrained by the presence of a subsequent adjudicator, in the Superior Court forfeiture litigation itself, does not provide this validation. For the Supreme Court said in Marshall vs. Jerrico, Inc., supra:

We do not suggest, and appellants do not contend, that the Due Process Clause imposes no limits on the partisanship of administrative prosecutors. Prosecutors are also public officials; they, too, must serve the public interest. 446 U.S. 238, at 249, 100 S. Ct. 1610 at 1616 (1980)

For the reasons set forth above, the motion for summary judgment of counterclaimant Carol Thomas, on liability, is granted. The seizure of her vehicle pursuant to N.J.S.A. 2C:64-6a, violated due process guarantees afforded by the U.S. and New Jersey Constitutions. A trial will be scheduled on her counterclaim as to damages.



G. THOMAS BOWEN, J.S.C.

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County Forfeiture Funds
TOTAL PROPERTY FORFEITED
 (U.S. Currency and Other Property)

County	Grand Totals		
	1998	1999	2000
Atlantic	294,699.12	239,624.75	359,830.16
Bergen	1,252,990.54	1,117,196.17	1,227,776.86
Burlington	303,221.49	121,446.54	255,621.05
Camden	153,579.53	526,620.12	674,698.92
Cape May	63,372.57	81,978.03	88,223.67
Cumberland	103,533.26	124,655.89	125,656.46
Essex	886,198.00	1,106,618.00	989,235.00
Gloucester	311,268.55	169,144.09	684,782.00
Hudson	684,428.69	728,722.65	667,152.41
Hunterdon	56,942.46	47,801.62	90,315.50
Mercer	279,129.05	308,359.90	857,222.36
Middlesex	336,443.89	768,654.62	455,931.54
Monmouth	677,094.97	512,774.26	482,533.25
Morris	210,862.18	301,596.05	160,165.35
Ocean	124,035.60	250,817.01	256,359.11
Passaic	685,623.57	807,757.47	930,669.49
Salem	82,486.00	43,163.00	40,837.00
Somerset	17,864.00	21,831.00	29,487.98
Sussex	48,966.00	21,358.95	12,825.63
Union	604,470.15	785,131.58	681,308.44
Warren	226,582.97	95,178.00	107,947.18
Totals	7,403,792.59	8,180,430.47	9,178,579.36
			24,762,802.42

Pa 14

**Total Property Forfeited by Counties As a Percentage
of Same-Year Budgeted Appropriations for
All Expenses (Salaries, Wages, and Other Expenses)
in County Prosecutors' Offices**

County	Total			
	1998	1999	2000	1998-2000
Atlantic	3.44%	2.88%	4.04%	3.47%
Bergen	7.19%	6.06%	6.50%	6.57%
Burlington	4.82%	1.99%	3.48%	3.44%
Camden	1.15%	3.58%	4.70%	3.20%
Cape May	3.05%	3.91%	4.28%	3.75%
Cumberland	4.85%	6.08%	5.91%	5.61%
Essex	3.64%	4.82%	3.86%	4.09%
Gloucester	7.44%	3.83%	14.50%	8.75%
Hudson	5.06%	5.19%	4.55%	4.92%
Hunterdon	2.30%	1.98%	3.51%	2.61%
Mercer	3.93%	3.67%	9.86%	5.97%
Middlesex	2.77%	5.83%	3.55%	4.09%
Monmouth	5.06%	3.57%	2.98%	3.81%
Morris	2.62%	3.56%	1.85%	2.67%
Ocean	1.77%	3.29%	3.37%	2.84%
Passaic	5.65%	6.56%	7.06%	6.42%
Salem	5.44%	2.76%	2.33%	3.46%
Somerset	0.28%	0.34%	0.40%	0.34%
Sussex	1.85%	0.81%	0.46%	1.03%
Union	4.68%	5.96%	4.63%	5.06%
Warren	7.64%	3.21%	3.07%	4.55%
All Counties	4.10%	4.38%	4.62%	4.38%

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**Total Property Forfeited by Counties As a Percentage
of Same-Year Budgeted Appropriations
for Non-Salary-and-Wage Expenses
in County Prosecutors' Offices**

County	Total 1998-2000			
	1998	1999	2000	1998-2000
Atlantic	45.89%	70.48%	92.37%	65.19%
Bergen	68.98%	65.11%	84.87%	72.26%
Burlington	61.55%	18.22%	37.44%	36.93%
Camden	17.95%	69.61%	81.94%	55.63%
Cape May	25.48%	32.47%	34.90%	30.98%
Cumberland	61.30%	88.61%	84.33%	77.16%
Essex	70.77%	92.45%	70.41%	77.37%
Gloucester	130.13%	61.61%	230.45%	143.69%
Hudson	83.07%	68.30%	64.22%	71.01%
Hunterdon	16.85%	21.02%	42.36%	25.06%
Mercer	40.61%	25.62%	113.95%	54.65%
Middlesex	59.81%	123.73%	69.67%	84.93%
Morrmouth	90.89%	51.61%	42.08%	57.96%
Morris	40.11%	57.43%	28.61%	41.76%
Ocean	24.45%	50.16%	51.27%	41.88%
Passaic	201.65%	244.77%	269.76%	238.82%
Salem	42.53%	20.22%	12.88%	22.98%
Somerset	1.52%	2.34%	2.20%	2.01%
Sussex	14.58%	5.64%	3.35%	7.58%
Union	66.49%	73.24%	60.00%	66.45%
Warren	75.70%	31.80%	34.48%	47.13%
All Counties	56.27%	59.67%	64.90%	60.38%

Pa16

PERCENTAGES OF FORFEITED ASSETS RECEIVED BY COUNTY PROSECUTOR'S OFFICES FOR EXPENDITURE/USE FOR
LAW ENFORCEMENT PURPOSES TO BUDGETED APPROPRIATIONS FOR SALARIES AND OTHER EXPENSES - 1998

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County	Salaries and Wages (Salaries)	Other Expenses	Total Salaries and Other Expenses	Total Forfeited	Portion of Total Forfeited Shared with/Distributed to Law Enforcement Agencies	Portion of Total Forfeited Distributed to County Prosecutor's Offices	Amount Received by County Prosecutor's Office to Total Salaries and Other Expenses
Atlantic	\$ 7,916,955	\$ 642,119	\$ 8,559,074	\$294,699	\$169,466	\$ 125,233	1.46 %
Bergen	15,600,900	1,816,364	17,417,264	1,252,991	390,960	862,031	4.95
Burlington	5,792,269	492,663	6,284,932	303,221	138,956	164,265	2.61
Camden	12,468,907	855,510	13,324,417	153,580	1,046	152,534	1.14
Cape May	1,831,581	248,720	2,080,301	63,373	21,811	41,562	2.00
Cumberland	1,965,000	168,889	2,133,889	103,533	28,042	75,491	3.54
Essex	23,119,278	1,252,216	24,371,494	886,198	1,043,285	- 0 -	- 0 -
Gloucester	3,944,476	239,200	4,183,676	311,269	178,728	132,541	3.17
Hudson	12,702,726	823,904	13,526,630	684,429	148,704	535,725	3.96
Hunterdon	2,132,720	337,909	2,470,629	56,942	13,833	43,109	1.74
Mercer	6,414,284	687,292	7,101,576	279,129	263,510	15,619	.22
Middlesex	11,592,859	562,515	12,155,374	336,444	180,409	156,035	1.28
Monmouth	12,642,309	744,928	13,387,237	677,095	339,936	337,159	2.52
Morris	7,525,635	525,700	8,051,335	210,862	114,693	96,169	1.19
Ocean	6,486,835	507,357	6,994,192	124,036	87,131	36,905	.53
Passaic	11,800,000	340,000	12,140,000	685,624	410,501	275,123	2.27
Salem	1,321,000	193,935	1,514,935	82,486	45,670	36,816	2.43
Somerset	5,147,839	1,174,171	6,322,010	17,864	24,153	- 0 -	- 0 -
Sussex	2,305,306	335,900	2,641,206	48,966	6,797	42,169	1.60
Union	12,014,134	909,056	12,923,190	604,470	394,335	210,135	1.63
Warren	2,667,912	299,328	2,967,240	226,583	13,874	212,709	7.17
All Counties Total:	\$167,392,925	\$13,157,676	\$180,550,601	\$7,403,794	\$4,015,820	\$3,551,330	1.97

PERCENTAGES OF FORFEITED ASSETS RECEIVED BY COUNTY PROSECUTOR'S OFFICES FOR EXPENDITURE/USE FOR
LAW ENFORCEMENT PURPOSES TO BUDGETED APPROPRIATIONS FOR SALARIES AND OTHER EXPENSES - 1999

2018

County	Salaries and Wages (Salaries)	Other Expenses	Total Salaries and Other Expenses	Total Forfeited	Portion of Total Forfeited Shared with/Distributed to Law Enforcement Agencies	Portion of Total Forfeited Distributed to County Prosecutor's Offices	Amount Received by County Prosecutor's Office to Total Salaries and Other Expenses
Atlantic	\$ 7,990,529	\$ 340,000	\$ 8,330,529	\$ 239,625	\$ 162,275	\$ 77,350	.93 %
Bergen	16,717,990	1,715,908	18,433,898	1,117,196	508,730	608,466	3.30
Burlington	5,445,348	666,666	6,112,014	121,447	66,583	54,864	.90
Camden	13,937,441	756,500	14,693,941	526,620	39,079	487,541	3.32
Cape May	1,842,240	252,450	2,094,690	81,978	22,166	59,812	2.86
Cumberland	1,908,000	140,675	2,048,675	124,656	12,821	111,835	5.46
Essex	21,773,000	1,197,000	22,970,000	1,106,618	230,932	875,686	3.81
Gloucester	4,142,372	274,539	4,416,911	169,144	61,537	107,607	2.44
Hudson	12,981,266	1,066,909	14,048,175	728,723	509,885	218,838	1.56
Hunterdon	2,192,202	227,400	2,419,602	47,802	10,085	37,717	1.56
Mercer	7,187,460	1,203,760	8,391,220	308,360	127,662	180,698	2.15
Middlesex	12,563,600	621,219	13,184,819	768,655	403,374	365,281	2.77
Monmouth	13,350,744	993,648	14,344,392	512,774	234,973	277,801	1.94
Morris	7,939,085	525,200	8,464,285	301,597	94,455	207,142	2.45
Ocean	7,130,000	500,000	7,630,000	250,817	134,258	116,559	1.53
Passaic	12,100,000	330,000	12,430,000	807,757	485,836	321,921	2.59
Salem	1,340,000	213,450	1,553,450	43,163	8,434	34,729	2.24
Somerset	5,551,280	934,458	6,485,738	21,831	8,938	12,893	.20
Sussex	2,248,005	378,544	2,626,549	21,359	606	20,753	.79
Union	12,246,404	1,071,928	13,318,332	785,132	626,170	158,962	1.19
Warren	2,664,169	299,328	2,963,497	95,178	396,302	- 0 -	- 0 -
All Counties Total:	\$173,251,135	\$13,709,582	\$186,960,717	\$8,180,432	\$4,145,101	\$4,336,455	2.32

PERCENTAGES OF FORFEITED ASSETS RECEIVED BY COUNTY PROSECUTOR'S OFFICES FOR EXPENDITURE/USE FOR
LAW ENFORCEMENT PURPOSES TO BUDGETED APPROPRIATIONS FOR SALARIES AND OTHER EXPENSES - 2000

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County	Salaries and Wages (Salaries)	Other Expenses	Total Salaries and Other Expenses	Total Forfeited	Portion of Total Forfeited Shared with/Distributed to Law Enforcement Agencies	Portion of Total Forfeited Distributed to County Prosecutor's Offices	Amount Received by County Prosecutor's Office to Total Salaries and Other Expenses
Atlantic	\$ 8,511,495	\$ 389,540	\$ 8,901,035	\$ 359,830	239,006	\$ 120,824	1.36 %
Bergen	17,456,681	1,446,665	18,903,346	1,227,777	797,973	429,804	2.27
Burlington	6,668,366	682,697	7,351,063	255,621	120,785	134,836	1.83
Camden	13,519,045	823,357	14,342,402	674,699	188,034	486,665	3.39
Cape May	1,806,217	252,825	2,059,042	88,224	48,806	39,418	1.91
Cumberland	1,976,200	148,997	2,125,197	125,656	18,644	107,012	5.04
Essex	24,200,000	1,405,000	25,605,000	989,235	393,245	595,990	2.33
Gloucester	4,426,047	297,155	4,723,202	684,782	505,050	179,732	3.81
Hudson	13,628,969	1,038,925	14,667,894	667,152	356,261	310,891	2.12
Hunterdon	2,363,068	213,200	2,576,268	90,315	20,829	69,486	2.70
Mercer	7,943,753	752,299	8,696,052	857,222	287,122	570,100	6.56
Middlesex	12,171,981	654,381	12,826,362	455,932	217,013	239,919	1.86
Monmouth	15,040,557	1,146,684	16,187,241	482,533	318,552	163,981	1.01
Morris	8,095,720	559,800	8,655,520	160,165	142,114	18,051	.21
Ocean	7,100,000	500,000	7,600,000	256,359	139,715	116,644	1.53
Passaic	12,845,000	345,000	13,190,000	930,669	635,802	294,867	2.24
Salem	1,433,000	317,000	1,750,000	40,837	35,734	5,103	.29
Somerset	5,951,859	1,337,658	7,289,517	29,488	500	28,988	.40
Sussex	2,424,010	382,544	2,806,554	12,826	6,181	6,645	.24
Union	13,580,853	1,135,604	14,716,457	681,308	497,707	183,601	1.25
Warren	3,204,959	313,028	3,517,987	107,947	276,455	- 0 -	- 0 -
All Counties Total:	\$184,347,780	\$14,142,359	198,490,139	9,178,577	5,245,528	\$4,101,557	2.07