



DEPARTMENT OF THE ATTORNEY GENERAL

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Hawaii Attorney General Approves Asset Forfeiture Rules

HONOLULU – Hawaii Attorney General Clare E. Connors approved the administrative asset forfeiture rules, which will become effective on January 17, 2020.

Administrative asset forfeiture is the process by which property may be forfeited by a seizing agency rather than through judicial proceedings. It is an important law enforcement tool because it deprives criminals of the money and resources necessary to continue illegal enterprises and reduces the economic incentive to engage in criminal activity. Asset forfeiture redirects the money used to sustain illegal activity to law enforcement, to support efforts such as community policing, training, and enforcement operations intended to protect and serve communities.

The purpose of the rules, under Hawaii Administrative Rules section 5-51-1, is to “govern the practice and procedure for the filing and processing of petitions for administrative forfeiture[.]” The rules clarify the procedures applicable to county law enforcement officials and those seeking remission or mitigation of an asset forfeiture decision. The rules also establish procedures that facilitate consistent and timely processing of petitions for administrative asset forfeiture.

The rules may be viewed on the Department of the Attorney General’s website at <https://ag.hawaii.gov/wp-content/uploads/2020/01/Chapter-51-Administrative-Asset-Forfeiture-Effective-January-17-2020.pdf>.

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