

Unconstitutional FBI Raid Should Move Congress To Reform Federal

Law

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Joseph Ruiz nearly lost his savings to the FBI even though he was never charged with a crime. INSTITUTE FOR JUSTICE

The list sprawls across [15 pages](#), chronicling the spoils of a daring heist. Stuffed into security deposit boxes was millions in cold, hard cash, gleaming Cartier jewelry, and even \$1.3 million in poker chips. Altogether, the list detailed more than \$100 million in cash, gold, and other precious property, the proceeds of the biggest armed robbery in American history.

And the FBI was the “thief,” breaking the highest law in the land in an effort to keep the proceeds for itself.

But a federal court has now [exposed](#) the FBI’s audacious plan to violate the constitutional rights of hundreds of Americans. What it uncovered shows why Congress must enact strong legislation to prevent this kind of egregious “policing for profit” from ever happening again.

All this started back in March 2021, when the FBI executed a warrant on US Private Vaults, a Beverly Hills company offering secure deposit box rentals. While that warrant said the FBI could seize the company’s assets for forfeiture, it specifically prohibited any criminal search or seizure of customers’ boxes. It instructed agents that they could open the boxes merely to identify their owners and return their possessions.

However, the FBI hid from the judge who granted the warrant its true agenda – a plan to ransack every box, search them all, parade any cash in front of drug-sniffing canines, and ultimately try to permanently keep, through civil forfeiture, the contents of any box worth more than \$5,000. Why \$5,000? Because that’s the threshold where the government could profitably process the forfeiture.

From the FBI's skewed perspective, all box renters were guilty until proven innocent. At first, anonymous litigants fought back, demanding the return of their seized property. Then, Paul and Jennifer Snitko and Joseph Ruiz took their grievances public, filing a lawsuit alongside the Institute for Justice. The ensuing class action lawsuit led to a recent [triumph](#) against the FBI's overreach.

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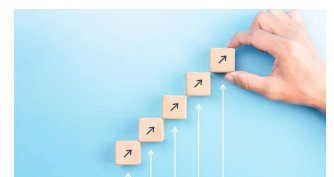
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Americans believe firmly that those charged with crimes are innocent until proven guilty, but that is not the way that civil forfeiture works. Caught in this upside-down world, property owners were made to prove their innocence to the FBI to get their possessions back.

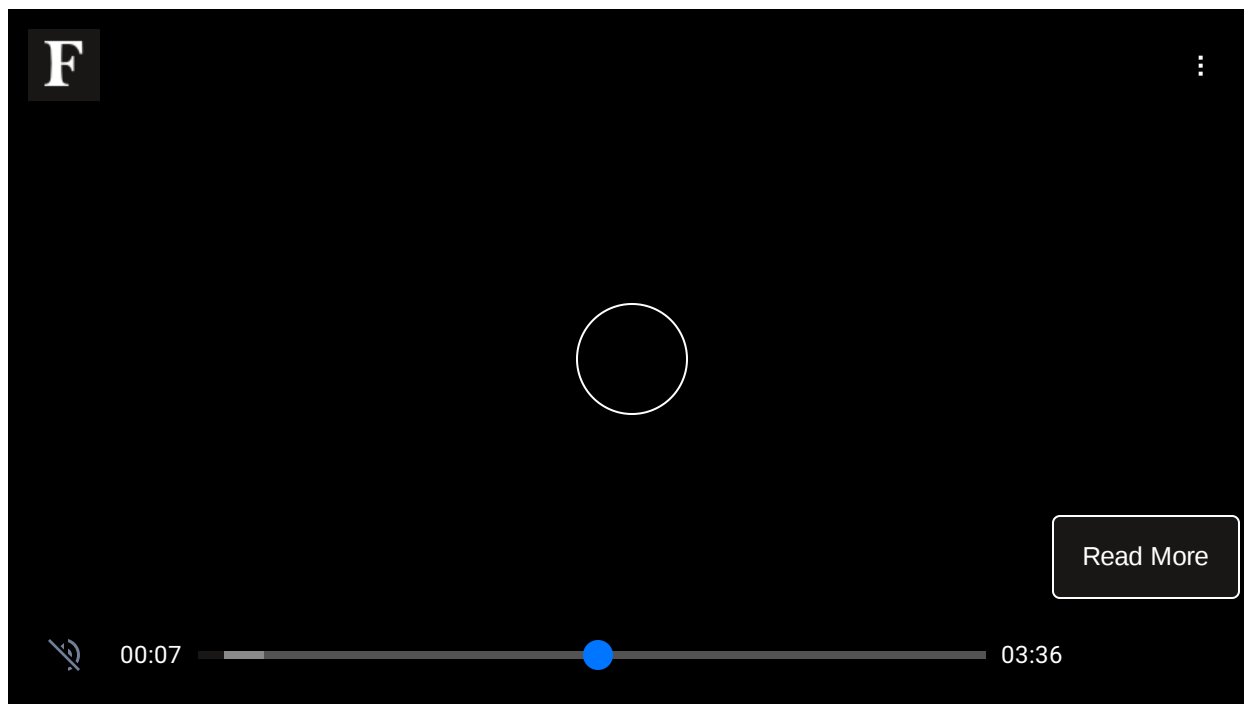
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But prove their innocence of *what*? The forfeiture notices did not accuse owners of any specific crime. Instead, documents referred indirectly to hundreds of different federal laws that might give reason for the government to take property. Maybe the box renters were guilty of copyright infringement or business dealings with North Korea?



In federal civil forfeiture actions, the deck is stacked against property owners. The legal process is filled with pitfalls that [end with the government taking the property](#). And again,

the money goes into an account controlled by the Department of Justice that is used to fund the very agencies that make the seizures.

One pillar of both American and British law is that it is dangerous to let law enforcers fund themselves through their own policing. The incentive to bring in money can easily distort priorities. Rather than dealing with the most serious and destructive crimes, police can shift focus to uncovering crimes that can net a big pay day.

It should be no surprise then that there is bipartisan concern in Congress that federal law enforcement has lost its way and needs to be reined in. Republicans and Democrats don't agree on much these days, but members of the House have united in support for the [FAIR Act, H.R. 1525](#). The bill, sponsored by Rep. Tim Walberg (R-MI) and Rep. Jamie Raskin (D-MD), was [unanimously approved](#) by the House Judiciary Committee last year.

The FAIR Act would fix many of the biggest glaring problems with federal civil forfeiture. First, it would direct all forfeiture proceeds into the general fund. This would end the profit incentive. Second, it would end administrative forfeiture. In the administrative forfeiture process agency bureaucrats decide whether a forfeiture becomes final, not an independent judge. A third important reform is that property owners would be provided an attorney if they cannot afford one.

The US Private Vaults customers are far from the only victims of civil forfeiture. DEA agents snatch cash [from flyers](#) as they board their planes. [Highway patrol](#) seize money without even bothering to give a ticket to a driver. Federal law enforcement even tried to take an entire [family-owned motel](#) because some guests had been charged with crimes.

It is time for Congress to put federal law enforcement back on the right track. The FBI ran roughshod over the constitutional rights of hundreds of security deposit box renters in pursuit of riches. If the incentives don't change, similar abuses are likely to happen again and again.

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I am Director of Media Relations at the Institute for Justice (IJ), a public interest law firm. Follow me on Twitter @andrewwimer. As a member of IJ's communications team, I promote litigation that protects and expands liberty for clients across the United States. Prior to starting with IJ in 2018, I served as a speechwriter for a cabinet secretary and before that spent a decade on Capitol Hill serving in communications and legislative roles for several members of the House of Representatives. My work has been published by the Wall Street Journal, the New York Times, the Washington Post, the LA Times, USA Today, and numerous other newspapers nationwide. **Read Less**