



TO: Michigan Prosecuting Attorneys, Sheriffs' & Chiefs of Police

FROM: Maria Markos, Victim Rights Program Specialist
Division of Victim Services, MDHHS

DATE: September 11, 2019

SUBJECT: Vehicle Forfeiture OWI/Report
PA 300 of 1949 – MCL 257.625n
Criminal Forfeiture/Victim Rights Report
(PA 236 of 1961– MCL 600.4702, 600.4708)

The Division of Victim Services (formerly under the Department of Management and Budget) is obligated to collect information from “units of government substantially involved in effecting the forfeiture” in accordance with the following statutes:

MCL 257.625n §7 (h) The balance remaining after the payment of items (a) through (g) shall be distributed by the court having jurisdiction over the forfeiture proceedings to the unit or units of government substantially involved in effecting the forfeiture. Seventy-five percent of the money received by a unit of government under this subdivision shall be used to enhance enforcement of the criminal laws and 25% of the money shall be used to implement the William Van Regenmorter Crime Victim's Rights Act, 1985 PA 87, MCL 780.751 to 780.834. A unit of government receiving money under this subdivision shall report annually to the department of management and budget the amount of money received under this subdivision that was used to enhance enforcement of the criminal laws and the amount that was used to implement the William Van Regenmorter crime victim's rights act, 1985 PA 87, MCL 780.751 to 780.834.

MCL 600.4708 (f) the balance remaining after the payment of restitution, the claims of victims, outstanding liens, and expenses shall be distributed by the court having jurisdiction over the forfeiture proceedings to the unit or units of government substantially involved in effecting the forfeiture. Seventy-five percent of the money received by a unit of government under this subdivision shall be used to enhance enforcement of criminal laws and 25% of the money shall be used to implement the William Van Regenmorter Crime Victim Rights Act of 1985, MCL 780.751 to 780.834. A unit of government receiving money under this subdivision shall report annually to the department of management and budget the amount of money received under this

subdivision that was used to enhance enforcement of the criminal laws and the amount that was used to implement the William Van Regenmorter Crime Victim Rights Act of 1985, MCL 780.751 to 780.834.

In an effort to reduce paperwork we now have the forfeiture forms, previously sent to you by mail, available on our website at www.michigan.gov/crimevictims. Click on the Crime Victim's Rights button/link, then the Forfeiture Form – Law Enforcement Use, to access the editable document. If you have questions you may contact the Victim Rights Unit at MDHHS-VICTIM-RIGHTS-PGRM@michigan.gov or call 517.373.7373. Thank you!

Frequently Asked Questions Collection of monies under OWI and criminal forfeitures

Q. How can I use the 25% which is supposed to be used to help implement the William VanRegenmorter Crime Victim Rights Act?

A. We would suggest that you use the money to help implement victim services, or to enhance existing services offered to victims of crime. Examples may include materials which will help you provide notices as required by MCL 780.753 – 780.755; the cost of crime victim rights materials in your lobby area; office supply costs; costs associated with a victim interview/waiting room, etc.

Q. Do I send any collected monies to the Division of Victim Services?

A. No, we do not collect any monies in our Division.

Q. Do I need to inform the Division of Victim Services of how I used the money?

A. No, the statute does not require that you inform our office of how you expended the monies you collected.