


FAIRFAX COUNTY POLICE DEPARTMENT  GENERAL ORDER	SUBJECT: ASSET FORFEITURE UNIT		NUMBER: 528
	EFFECTIVE DATE: November 7, 2022	REVIEW: November, 2025	
RESPONSIBLE ENTITY: ORGANIZED CRIME AND INTELLIGENCE BUREAU			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Replaces: 520.10 <input type="checkbox"/> Revised:
ACCREDITATION STANDARDS	CALEA: VLEPSC: OPR.03.05		

I. PURPOSE

The purpose of this General Order is to identify the mission and operational parameters of the Asset Forfeiture Unit (AFU), as well as establish guidelines and procedures for officers on the release of lawfully seized motor vehicles.

II. POLICY

It is the policy of the Fairfax County Police Department (FCPD) to investigate individuals believed to be involved in criminal activity that involves potential terrorism, the illegal sale of drugs and narcotics, ongoing criminal enterprises, transporting alcohol illegally, money laundering, transporting stolen property, prostitution and/or gambling, and identify for seizure any proceeds that derive from this activity as allowable by Federal and State law. The Department shall seek to seize any currency, property, and/or motor vehicles valued in excess of \$500 that are used in connection with, or derived from, these criminal activities and only release these items in accordance with Department policy and the Code of Virginia. Where any forfeiture action has been legally filed, seizing officers shall coordinate with the Office of the Commonwealth’s Attorney prior to the release of a seized item. Where any officer seizes a motor vehicle within the time frame the Commonwealth’s Attorney’s Office could file a forfeiture action, but prior to the information being filed the determination is made to release the vehicle back to the owner, the seizing officer may do so without the approval of the Commonwealth’s Attorney’s Office.

III. DEFINITIONS

- A. Proceeds: Property acquired, produced, caused, realized or derived, directly or indirectly from, act or omission. Includes both real and personal property.
- B. Property: Anything of value (including interest), benefit, privilege, claim, or right with respect to anything of value, whether real, personal, tangible or intangible.

- C. Seizure: Taking of legal possession of property and assets subject to forfeiture to the Commonwealth of Virginia.

IV. GENERAL RESPONSIBILITIES

A. **Asset Forfeiture Unit**: The AFU is within the purview of the Organized Crime and Intelligence Bureau (OCIB). OCIB serves as the clearinghouse for all lawful seizures of vehicles, currency, or property. AFU members shall serve as the only Department employees authorized to collect processing fees for the return of lawfully seized vehicles. The mission of the AFU is as follows:

1. Identify and successfully seize assets and property from individuals or ongoing criminal enterprises involved in the unlawful sale of narcotics, conspirators and co-conspirators, and terrorism, and provide timely notification to the Office of the Commonwealth's Attorney or appropriate Federal jurisdiction of any seizure.
2. Disrupt financial support networks created by criminal enterprises by seizing businesses and other identified financial assets and support Department entities in financial investigations of any criminal enterprise.
3. Identify and facilitate the arrest and conviction of individuals who provide unlawful financial support services to criminal enterprises.
4. Enhance conspiratorial cases against criminal enterprises and their co-conspirators by obtaining financial evidence to support charge for violation of Federal and State law.
5. Collection of a \$500 processing fee for the return of lawfully seized vehicles.
6. Provide necessary training and support to all entities of the Department.

B. **District Station and Division Supervisors**: Supervisors shall ensure that officers contact AFU during normal business hours to assist with the lawful seizure and successful forfeiture of motor vehicles, currency, and/or property.

1. After hours, supervisors shall contact the Police Liaison Commander to request the on-call Organized Crime and Narcotics (OCN) supervisor's assistance for the seizure of motor vehicles, currency, and/or property valued in excess of \$500. All seizures require immediate notification to the AFU via the current Records Management System (RMS) by forwarding the incident report which shall describe the legal grounds for the seizure.

2. Depending upon the circumstances of the seizure, the OCN supervisor may authorize call-out of an AFU detective to assist.
3. Currency amounts under \$500 shall not be seized, but depending on the nature of the arrest, may be retained by the arresting officer as evidence to support an accompanying criminal charge.
4. Supervisors shall ensure that officers/detectives who seize motor vehicles complete the [Asset Seizure Notification](#) (ASN) form, which shall be sent to the AFU supervisor via email at FCPD-AssetForfeiture@fairfaxcounty.gov.

V. GENERAL PROCEDURES

- A. AFU shall be notified in a timely manner of the seizure of any amount of currency in excess of \$500 by any member of the Department. AFU will complete all necessary asset forfeiture paperwork for filing with either the Office of the Commonwealth's Attorney or appropriate Federal jurisdiction as applicable.
- B. AFU shall maintain and report all seizures in the Asset Forfeiture Database and the collection of a \$500 processing fee for the return of lawfully seized vehicles. The fee may be waived only at the direction of the OCN commander.
- C. Motor vehicles that have been seized and inventoried in accordance with FCPD [General Order 522](#), Impoundment and Seizures of Motor Vehicles, shall be taken to either the nearest district station or alternative location as designated by the OCN commander. The AFU shall make arrangements for seized vehicles to be transported to the OCN seizure lot.
- D. The AFU shall provide necessary training and support to all entities of the Department upon request.

VI. LEGAL REFERENCES

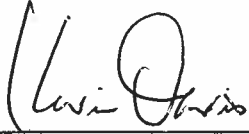
- A. [Va. Code Ann. § 18.2-246.1](#) Virginia Comprehensive Money Laundering Act.
- B. [Va. Code Ann. § 18.2-246.2](#) Virginia Comprehensive Money Laundering Act Definitions.
- C. [Va. Code Ann. § 18.2-246.3](#) Money laundering; penalties.
- D. [Va. Code Ann. § 18.2-246.5](#) Forfeiture of business license or registration upon conviction of sale or distribution of imitation controlled substance; money laundering.

- E. [Va. Code Ann. § 19.2-386.3](#) Notice of seizure for forfeiture and notice of motion for judgment.
- F. [Va. Code Ann. § 19.2-386.4](#) Records and handling of seized property.
- G. [Va. Code Ann. § 19.2-386.5](#) Release of seized property.
- H. [Va. Code Ann. § 19.2-386.6](#) Bond to secure possession.
- I. [Va. Code Ann. § 19.2-386.8](#) Exemptions.
- J. [Va. Code Ann. § 19.2-386.19](#) Seizure of property used in connection with money laundering.
- K. [Va. Code Ann. § 19.2-386.22](#) Seizure of property used in connection with or derived from illegal drug transactions.

General Order 528 becomes effective on the above date and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive