Civil Asset Forfeiture & Equitable Sharing (CLE)

Tuesday, Dec. 12 | 9:45-11 a.m.

Agenda

Senator Gerald Malloy
South Carolina Senate

Brad Cates, Esq.
Counselor at Law
Liberty Meadows Farm, New Mexico

Katy Proctor
Director, Majority Research Staff
House of Representatives, Arizona

Overview

Recent federal actions have reignited debate over whether civil asset forfeiture is an effective crime fighting tool or a violation of constitutional rights. Eighty-seven percent of forfeitures were civil between 1997 and 2013, meaning they were executed without a criminal conviction. Laws at the state level continue to increase the oversight, financial regulation and accountability of civil forfeiture practices by state, local and federal agencies. Attend this session to learn the latest.

Moderator

Senator Gerald Malloy (D)
South Carolina Senate
GeraldMalloy@malloylawfirm.net

Senator Gerald Malloy is a practicing attorney and has served in the South Carolina Senate for 15 years. He currently serves on the Senate Judiciary Committee, Rules Committee, Banking and Insurance Committee, Education Committee, and Transportation Committee. Senator Malloy is the Chairman of the Public Defenders Board of Darlington County Bar Association, Chairman of the South Carolina Criminal Justice Task Force, and received the South Carolina Public Defender Association Legislator of the Year Award in 2007. Malloy has also served as South Carolina Trial Lawyers Association president.

Malloy received his Bachelor of Science from the University of South Carolina and his Juris Doctor from the University of South Carolina School of Law.

Speakers (in order of presentation)

Brad Cates, Esq.
Counselor at Law
Liberty Meadows Farm, New Mexico
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Brad Cates is a counselor at law at Liberty Meadows Farm in New Mexico. Before his tenure at Liberty Meadows Farm, Cates served four terms in the state Legislature where he played a leading role in writing New Mexico’s criminal code. Cates held several positions within the federal government following his time as state legislator. He was head of the Money Laundering and Asset Forfeiture division of the U.S. Department of Justice; assistant commissioner and enforcement counsel to the commissioner at U.S. Immigration and Naturalization Services; and director of the Office of Hearings and Appeals at the U.S. Department of the Interior. Cates returned to New Mexico to serve as a counsel to the state House Judiciary Committee, where he helped to write the
bill to end civil asset forfeiture in the state, which was enacted in 2015.

Cates received his Juris Doctor from the University of Arkansas, Fayetteville, and holds a bachelor's of business administration from New Mexico State University.

**Katy Proctor**  
**Director, Majority Research Staff**  
**House of Representatives, Arizona**  
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Katy Proctor is the director of the Majority Research Staff at the Arizona House of Representatives. Proctor’s experience as a legislative intern inspired her to choose a path of public service. She has had the honor of serving as a staffer in all three branches of Arizona government: as a research analyst in the Arizona House of Representatives, a senior policy adviser to the majority in the Arizona Senate and as a legislative liaison for both the Arizona Supreme Court and the Arizona Department of Public Safety. Proctor’s career path has allowed her to primarily focus on issues related to criminal justice, public safety, infrastructure and retirement. She holds a Bachelor of Arts from the University of Arizona and a master's of public administration from Arizona State University. Proctor also coaches ice hockey, serves as a Girl Scout troop leader and is an avid runner.