



Susan Montee, CPA

Missouri State Auditor

February 2007

Compilation of 2006
Criminal Activity
Forfeiture Act
Seizures



Office Of
Missouri State Auditor
Susan Montee

February 2007

As required by state law the State Auditor's Office compiled the 2006 Criminal Activity Forfeiture Act (CAFA) seizure reports submitted to our office by prosecuting attorneys and the Attorney General. This compilation was limited to the presentation of information submitted.

The State Auditor received a total of 97 (83%) of the 116 CAFA seizure reports, from prosecuting attorneys and the Attorney General for property seized in calendar year 2006 as required by Section 513.607, RSMo. Ninety-two (79%) of the reports were received prior to the January 31, 2007 deadline.

A comparison of 2006 report filings to those of prior years shows fewer seizures in 2006; however, these seizures have a higher dollar value.

To accomplish our objectives, we compiled all seizure information submitted to the State Auditor for calendar year 2006 and reviewed the compiled information previously submitted for the calendar years 2005 and 2004 so that a comparison would be available.

A letter dated January 11, 2007 was mailed to prosecuting attorneys and the Attorney General, notifying them of the deadline for submission of the CAFA seizure and forfeiture reports. This letter listed the information that should be included in their report according to Section 513.607 RSMo., and that the report should be submitted to both the State Auditor and to the Director of the Department of Public Safety. The letter also indicated that if there were no seizures, a report was still needed indicating that information.

Due to statutory deadline to submit this report, only seizure reports received by February 22, 2007 are included in the compilation.

All reports are available on our website: www.auditor.mo.gov

YELLOW SHEET

COMPILATION OF 2006 CRIMINAL ACTIVITY FORFEITURE ACT SEIZURES

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STATE AUDITOR'S REPORT



SUSAN MONTEE, CPA
Missouri State Auditor

Honorable Matt Blunt, Governor
and
Members of the General Assembly
Jefferson City, MO 65102

As required by Section 513.607, RSMo, we have compiled the 2006 Criminal Activity Forfeiture Act (CAFA) seizure reports submitted to the State Auditor by prosecuting attorneys and the Attorney General. A compilation is limited to presenting information that is submitted. We have not audited the reports submitted and, accordingly, do not express an opinion or any other form of assurance on them. The primary objectives of this compilation were to:

- (1) Identify those officials who submitted 2006 CAFA seizure reports to the State Auditor.
- (2) Summarize and evaluate the 2006 CAFA seizure information reported.

Section 513.607 RSMo, requires prosecuting attorneys and the Attorney General to report CAFA seizures for the previous calendar year by January 31 to both the Director of the Department of Public Safety and the State Auditor. We received 79% of the CAFA seizure reports by the required due date of January 31, 2007. The work for this report was substantially completed by February 2007.

A handwritten signature in cursive script that reads "Susan Montee".

Susan Montee, CPA
State Auditor

The following staff participated in the preparation of this report:

Director: Thomas J. Kremer, CPA
In-Charge Auditor: Becky Webb, CPA
Audit Staff: Joyce L. Thomson
Ali Arabian

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

Background

The State Auditor's report number 99-97 titled *Review of Forfeited Property* identified weaknesses in the state's Criminal Activity Forfeiture Act (CAFA) law. Subsequently, revisions to the state's CAFA law (Sections 513.600 to 513.653 RSMo) were addressed requiring the prosecuting attorneys and the Attorney General to whom seizures were reported to submit a copy of the seizure report to the State Auditor at the time the report is submitted to the Director of the Department of Public Safety (DPS). The legislation added the requirement for the State Auditor to make an annual report compiling the data received regarding the seizures. A penalty provision for intentional or knowing failure to comply with any reporting requirements was also included.

Other revisions in the CAFA included more restrictions on transfers of seized property by state or local agency to any federal agency. These restrictions were not reviewed, as they are not within the scope of our report.

Compliance with Submitting Criminal Activity Forfeiture Act (CAFA) Seizures Reports

The State Auditor received a total of 97 (83 percent) of the 116 CAFA seizure reports, from prosecuting attorneys and the Attorney General for property seized in calendar year 2006 as required by section 513.607, RSMo. Ninety-two (79 percent) of the reports were received prior to the January 31, 2007 deadline. Table 1.1 lists the total number of CAFA seizure reports submitted to the State Auditor for 2006, 2005, and 2004. Additionally, for 2006, 44 (38 percent) of the total reports, reported zero seizures.

Table 1.1: Summary of CAFA Seizure Reports Submitted By Date

Reporting Status	*					
	2006 Seizures		2005 Seizures		2004 Seizures	
By January 31	92	79.3%	94	81.0%	95	81.9%
After January 31	5	4.3%	16	13.8%	17	14.7%
Total Reported	97	83.6%	110	94.8%	112	96.6%
Failed to Report	19	17.4%	6	5.2%	4	3.4%
Total Reports Required	116	100.0%	116	100.0%	116	100.0%

Source: CAFA seizure reports submitted by prosecuting attorneys and the Attorney General

* Includes 9 CAFA seizure reports submitted by prosecuting attorneys to the State Auditor after the 2005 report was issued. Only Barry, Dunklin, Madison, Perry, Texas, and Wayne county prosecuting attorneys failed to submit a 2005 CAFA seizure report to the State Auditor.

Prosecutors that Failed to Report 2006 CAFA Seizures or Submitted Report Late

Table 1.2 lists the prosecuting attorneys that either submitted the 2006 CAFA seizure report after January 31, 2007 or failed to report a 2006 CAFA seizure report at all. Section 513.607.10 RSMo states intentional or knowing failure to comply with any reporting requirement shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars.

Table 1.2: Summary of Prosecuting Attorneys that Failed to Report 2006 CAFA Seizures or Submitted 2006 CAFA Seizure Reports Late

Prosecuting Attorney	Failed to Report		Submitted Late	
	2006	Prior Years	2006	Prior Years
Bates	X			
Bollinger			X	
Callaway			X	
Camden	X			
Cape Girardeau			X	2005
Carter	X			
Daviess	X			
Dunklin		2005	X	2004
Harrison	X			
Jefferson	X			
Lincoln	X			
Madison	X	2005		2004
McDonald	X			
Ozark	X			
Perry	X	2005		2004
Pike			X	2004 & 2005
Pulaski	X			2005
Ste. Genevieve	X			
Shannon	X			2004
Vernon	X			2004
Wayne	X	2004 & 2005		
Webster	X			
Worth	X			
Wright	X			
Totals	19		5	

Source: Review of CAFA seizure reports submitted by prosecuting attorneys and the Attorney General

Disposition of the Seizures Reported

The disposition of the CAFA seizures reported was obtained from the reports submitted by the prosecuting attorneys and the Attorney General. The compilation includes only the information reported by the prosecuting attorneys and the Attorney General. Table 1.3 lists the dollar value of the disposition of seizures reported by the prosecuting attorneys and the Attorney General.

Table 1.3: Summary of Required Information Reported

Reported Disposition	*					
	2006 Seizures		2005 Seizures		2004 Seizures	
Pending	\$ 1,539,781	30%	\$ 2,319,802	57%	\$ 1,212,352	41%
Returned	638,013	12%	388,673	10%	893,546	30%
Transferred to Federal Agency	2,810,763	55%	1,272,420	32%	669,331	23%
Transferred to State	74,223	2%	71,225	2%	45,273	2%
Disposition Not Reported	51,942	1%	0	0%	12,953	0%
Other	14,446	0%	1,653	0%	112,467	4%
Total	\$ 5,129,168	100%	\$ 4,053,773	100%	\$ 2,945,922	100%

Source: CAFA seizure reports submitted by prosecuting attorneys and the Attorney General

See Appendix I for a listing of the 2006 CAFA seizures disposition reported by each prosecuting attorney and the Attorney General.

Compliance with Reporting the Required Information

Section 513.607.8, RSMo, requires the prosecuting attorneys and the Attorney General to report the following information: date, time, and place of the seizure, the property seized, the estimated value of the property seized, the criminal charges filed, and the disposition of the seizure, forfeiture, and criminal actions. Table 1.4 lists the required information for the CAFA seizure reports received and the number of cases that reported each required item. Some reports did not include all of the required information; therefore our compilation includes only the information reported.

Table 1.4: Summary of Required Information Reported

Required Information	*					
	2006 Seizures		2005 Seizures		2004 Seizures	
Date	599	99.8%	1,667	99.9%	2,041	99.9%
Time	406	67.7%	334	20.0%	1,607	78.7%
Place of Seizure	592	98.7%	1,639	98.3%	2,028	99.3%
Property Seized	594	99.0%	1,571	94.2%	2,034	99.6%
Estimated Value of Property Seized	578	96.3%	629	37.7%	825	40.4%
Person(s) Property Seized From	591	98.5%	1,665	99.8%	2,043	100.0%
Criminal Charges Filed	318	53.0%	252	15.1%	393	19.2%
Disposition of Seizure	600	100.0%	1,668	100.0%	2,043	100.0%
Disposition of Criminal Actions	409	68.2%	427	25.6%	1,919	93.9%
Total Cases Reported	** 600	100.0%	1,668	100.0%	2,043	100.0%

Source: CAFA seizure reports submitted by prosecuting attorneys and the Attorney General

** The decrease in the number of seizures from 2005 to 2006 appears due to a decrease in seizures reported from St. Louis City. In 2005, St. Louis City reported 1,146 seizures including 930 vehicles. In 2006, St. Louis City reported only 90 seizures with no vehicles.

See Appendix II for a listing of the number of 2006 CAFA seizure cases that contained the required information reported for each prosecuting attorney and the Attorney General.

OBJECTIVES, SCOPE, AND METHODOLOGY

OBJECTIVES, SCOPE, AND METHODOLOGY

Objectives

The primary objectives of this compilation were to: (1) identify those officials who submitted 2006 CAFA seizure reports to the State Auditor and (2) summarize and evaluate the 2006 CAFA seizure information reported.

Scope and Methodology

To accomplish our objectives we:

- Reviewed the compiled seizure information submitted to the State Auditor for calendar year 2005 and 2004 for comparison purposes only.
- Mailed a letter to prosecuting attorneys and to the Attorney General, dated January 11, 2007, reminding them of the deadline for submission of the CAFA seizure and forfeiture reports.
- Compiled all seizure information submitted to the State Auditor for calendar year 2006.
- Identified the reports that were submitted on a timely basis.
- Identified the reports that did not contain the required information.
- Compiled the dollar value of the disposition of all seizures reported.
- Contacted the Missouri Department of Public Safety to identify the 2006 CAFA seizure reports submitted to both the State Auditor and to the Director of the Missouri Department of Public Safety or to one office.
- Compiled only seizure reports received by February 22, 2007, due to the February 28, 2007 statutory deadline for the State Auditor to submit this report.

Limitations

The data presented in the appendixes was compiled from information submitted by the various prosecuting attorneys and the Attorney General and were not verified by us via additional audit procedures. In analyzing these appendixes, some disparity may result due to the different methods used by the various prosecuting attorneys and the Attorney General of presenting essentially the same information.

APPENDIXES

2006 CAFA Disposition Reported

Reporting Entity	Estimated Value of all Cases Reported	Status Reported as of December 31, 2006					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Not Reported	Other
Adair	\$ 8,496	8,496					
Andrew	0						
Atchison	0						
Attorney General	0						
Audrain	11,596	11,236			360		
Barry	12,377	10,783		1,594			
Barton	0						
Bates	DNF						
Benton	0						
Bollinger	0						
Boone	92,972	75,597	5,498	9,377			2,500
Buchanan	62,687	18,296	841		10,919	32,631	
Butler	0						
Caldwell	0						
Callaway	3,000	3,000					
Camden	DNF						
Cape Girardeau	37,479	8,364	25,000	3,026	1,089		
Carroll	0						
Carter	DNF						
Cass	6,701	6,701					
Cedar	7,550	7,550					
Chariton	0						
Christian	16,787					16,787	
Clark	0						
Clay	14,430	12,030			2,400		
Clinton	43,166		43,166				
Cole	28,163	7,196	14,801		4,980	1,186	
Cooper	3,940	1,790	2,150				
Crawford	4,818	4,818					
Dade	7,900		7,900				
Dallas	0						
Daviess	DNF						
Dekalb	0						
Dent	0						
Douglas	0						
Dunklin	11,050	6,600		4,450			
Franklin	26,635	25,124	1,511				
Gasconade	228,620	88,620		140,000			
Gentry	0						
Greene	29,675	26,336		3,339			
Grundy	0						
Harrison	DNF						
Henry	4,654	4,654					
Hickory	0						
Holt	0						
Howard	0						
Howell	7,901	7,901					

2006 CAFA Disposition Reported

Reporting Entity	Estimated Value of all Cases Reported	Status Reported as of December 31, 2006					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Not Reported	Other
Iron	0						
Jackson	618,417	467,406	142,063		2,520	0	6,428
Jasper	14,495	14,495					
Jefferson	DNF						
Johnson	4,530	4,530					
Knox	0						
Laclede	0						
Lafayette	73,057	45,617	13,245		11,073		3,122
Lawrence	706	706					
Lewis	0						
Lincoln	DNF						
Linn	8,882	8,882					
Livingston	12,000				12,000		
Macon	0						
Madison	DNF						
Maries	0						
Marion	0						
McDonald	DNF						
Mercer	0						
Miller	72,900	72,900					
Mississippi	730	730					
Moniteau	0						
Monroe	0						
Montgomery	9,690	4,845		4,845			
Morgan	18,341	15,985		2,356			
New Madrid	7,160	7,160					
Newton	7,329	7,329					
Nodaway	0						
Oregon	0						
Osage	1,200		1,200				
Ozark	DNF						
Pemiscot	0						
Perry	DNF						
Pettis	12,929	5,943	4,590				2,396
Phelps	1,129,293		43,440	1,085,853			
Pike	0						
Platte	94,482	27,049	66,108		1,325		
Polk	0						
Pulaski	DNF						
Putnam	0						
Ralls	0						
Randolph	6,086	6,086					
Ray	76,834	76,834					
Reynolds	0						
Ripley	0						
Saline	5,860	5,860					
Schuyler	0						

2006 CAFA Disposition Reported

Reporting Entity	Estimated Value of all Cases Reported	Status Reported as of December 31, 2006					
		Pending	Returned	Transferred to Federal Agency	Transferred to State	Not Reported	Other
Scotland	0						
Scott	27,468	24,878		2,590			
Shannon	DNF						
Shelby	0						
St. Charles	1,235,731	37,554	25,342	1,172,835			
St. Clair	0						
St. Francois	11,620	9,500			2,120		
St. Louis City	267,098	5,101	138,292	122,105	1,600		
St. Louis County	681,851	296,900	102,721	258,393	23,837		0
Ste. Genevieve	DNF						
Stoddard	0						
Stone	1,787	1,787					
Sullivan	0						
Taney	32,022	30,539	145			1,338	
Texas	20,600	20,600					
Vernon	DNF						
Warren	4,810	4,810	0				
Washington	663	663					
Wayne	DNF						
Webster	DNF						
Worth	DNF						
Wright	DNF						
	<u>\$ 5,129,168</u>	<u>1,539,781</u>	<u>638,013</u>	<u>2,810,763</u>	<u>74,223</u>	<u>51,942</u>	<u>14,446</u>

DNF - Did not file a 2006 CAFA seizure report with the State Auditor's Office

Other - Paid to child support enforcement, county school fund, or was destroyed

This appendix compiles only the information reported to the State Auditor's Office by prosecuting attorneys and the Attorney General. Not all seizure reports included an estimated value of the property seized and not all the reports included the disposition of all seizures reported.

2006 CAFA Seizure Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated Value of all Cases Reported	Number of Cases that Reported Required Information									
					Place Seized	Property Seized	Estimated Value of Property Seized	Person(s) Property Seized From	Criminal Charges Filed	Disposition		
			Date	Time						Seizure	Criminal Actions	
Adair	2	\$ 8,496	2	2	2	2	2	1	2	2	2	
Andrew	0	0										
Atchison	0	0										
Attorney General	0	0										
Audrain	7	11,596	7	7	7	7	7	7	7	7	7	
Barry	6	12,377	6		6	6	6	6	6	6	6	
Barton	0	0										
Bates	DNF											
Benton	0	0										
Bollinger	0	0										
Boone	28	92,972	28	28	28	28	27	28	28	28	28	
Buchanan	17	62,687	17	17	17	17	17	17	17	17	17	
Butler	0	0										
Caldwell	0	0										
Callaway	1	3,000	1	1	1	1	1	1	1	1	1	
Camden	DNF											
Cape Girardeau	5	37,479	5	5	5	5	5	5	5	5	5	
Carroll	0	0										
Carter	DNF											
Cass	5	6,701	5	5	5	5	5	5	4	5	5	
Cedar	1	7,550	1		1	1	1	1	1	1	1	
Chariton	0	0										
Christian	11	16,787	11		11	11	11	11	7	11	7	
Clark	0	0										
Clay	8	14,430	8	6	8	8	8	8	3	8	8	
Clinton	1	43,166	1	1	1	1	1	1	1	1	1	
Cole	13	28,163	13	11	13	13	12	13	13	13	13	
Cooper	2	3,940	2	2	2	2	2	2	2	2	2	
Crawford	3	4,818	3	3	3	3	2	3	3	3	3	
Dade	1	7,900	1	1	1	1	1	1	1	1	1	
Dallas	0	0										
Daviess	DNF											
Dekalb	0	0										
Dent	0	0										
Douglas	0	0										
Dunklin	3	11,050	3		3	3	3	3	1	3	3	
Franklin	15	26,635	15	10	15	15	11	15	9	15	1	
Gasconade	2	228,620	2		2	2	2	2	2	2	2	
Gentry	0	0										
Greene	8	29,675	8	8	8	8	7	8	8	8	8	
Grundy	0	0										
Harrison	DNF											
Henry	5	4,654	5	5	5	5	3	5		5		
Hickory	0	0										
Holt	0	0										
Howard	0	0										

2006 CAFA Seizure Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated Value of all Cases Reported	Number of Cases that Reported Required Information									
					Place Seized	Property Seized	Estimated Value of Property Seized	Person(s) Property Seized From	Criminal Charges Filed	Disposition		
			Date	Time						Seizure	Criminal Actions	
Howell	3	7,901	3	2	3	3	3	3	2	3	3	
Iron	0	0										
Jackson	99	618,417	98		96	96	92	96	15	99	12	
Jasper	6	14,495	6		6	6	6	6	6	6	6	
Jefferson	DNF											
Johnson	5	4,530	5	3	5	5	5	5	5	5	5	
Knox	0	0										
Laclede	0	0										
Lafayette	13	73,057	13	11	13	12	13	13	12	13	12	
Lawrence	1	706	1		1	1	1	1	1	1	1	
Lewis	0	0										
Lincoln	DNF											
Linn	1	8,882	1	1	1	1	1	1	1	1	1	
Livingston	1	12,000	1	1	1	1	1	1	1	1	1	
Macon	0	0										
Madison	DNF											
Maries	0	0										
Marion	0	0										
McDonald	DNF											
Mercer	0	0										
Miller	1	72,900	1		1	1	1	1	1	1	1	
Mississippi	1	730	1	1	1	1	1	1	1	1	1	
Moniteau	0	0										
Monroe	0	0										
Montgomery	1	9,690	1	1	1	1	1	1	1	1	1	
Morgan	3	18,341	3	3	3	3	3	3	3	3	3	
New Madrid	1	7,160	1	1	1	1	1	1	1	1	1	
Newton	3	7,329	3		3	3	3	3	3	3	2	
Nodaway	0	0										
Oregon	0	0										
Osage	1	1,200	1		1	1	1	1	1	1	1	
Ozark	DNF											
Pemiscot	0	0										
Perry	DNF											
Pettis	7	12,929	7		7	7	7	7		7	5	
Phelps	7	1,129,293	7	7	7	7	7	7		7	7	
Pike	0	0										
Platte	13	94,482	13	12	13	13	13	13	9	13	13	
Polk	0	0										
Pulaski	DNF											
Putnam	0	0										
Ralls	0	0										
Randolph	7	6,086	7		7	7	6	7	7	7	7	
Ray	6	76,834	6	5	6	6	6	6	6	6	6	
Reynolds	0	0										
Ripley	0	0										

2006 CAFA Seizure Required Information Reported

Reporting Entity	Number of Cases Reported	Estimated Value of all Cases Reported	Number of Cases that Reported Required Information									
					Place Seized	Property Seized	Estimated Value of Property Seized	Person(s) Seized From	Criminal Charges Filed	Disposition		
			Date	Time						Seizure	Criminal Actions	
Saline	2	5,860	2	2	2	2	2	2	2	2	2	
Schuyler	0	0										
Scotland	0	0										
Scott	5	27,468	5		5	5	5	5	4	5	4	
Shannon	DNF											
Shelby	0	0										
St. Charles	35	1,235,731	35	35	35	35	35	35	6	35	7	
St. Clair	0	0										
St. Francois	2	11,620	2		2	2	2	2	2	2	2	
St. Louis City	90	267,098	90	73	90	90	90	89	90	90	43	
St. Louis County	119	681,851	119	119	115	117	116	115		119	119	
Ste. Genevieve	DNF											
Stoddard	0	0										
Stone	3	1,787	3		3	3	3	3	3	3	3	
Sullivan	0	0										
Taney	14	32,022	14	12	13	14	14	14	10	14	14	
Texas	2	20,600	2	2	2	2	2	2	2	2	2	
Vernon	DNF											
Warren	3	4,810	3	3	3	3	2	3	1	3	3	
Washington	1	663	1		1	1	1	1	1	1		
Wayne	DNF											
Webster	DNF											
Worth	DNF											
Wright	DNF											
	<u>600</u>	<u>\$ 5,129,168</u>	<u>599</u>	<u>406</u>	<u>592</u>	<u>594</u>	<u>578</u>	<u>591</u>	<u>318</u>	<u>600</u>	<u>409</u>	

DNF - Did not file a 2006 CAFA seizure report with the State Auditor's Office

This appendix compiles the total number of 2006 CAFA seizure cases, the total estimated value of all cases reported, and the number of cases that reported the required information for each county prosecuting attorney, the city of St. Louis, and the



SUSAN MONTEE, CPA

Missouri State Auditor

January 11, 2007

TO: Prosecuting Attorneys

RE: Annual Seizure Report due **January 31, 2007**

Purpose...

This letter is a reminder of the upcoming deadline for the submission of annual seizure and forfeiture reports.

Responsibility of the State Auditor...

Under Section 513.607.9, RSMo, of the Criminal Activity Forfeiture Act (CAFA), the State Auditor has the responsibility to compile and issue an annual report of the data received from law enforcement, prosecuting attorneys and the Attorney General. The report is considered an open record.

Responsibility of the Prosecuting Attorney and Attorney General...

Under Section 513.607.8, RSMo, of CAFA, the prosecuting attorneys or Attorney General to whom seizures are reported shall report annually **to the State Auditor and to the Director of Public Safety** by January 31, information on all reported seizures for the previous calendar year. This report shall include the following information:

- date, time and place of the seizure, the property seized, the estimated value of the property seized, the person(s) from whom the property was seized, the criminal charges filed, and the disposition of the seizure, forfeiture and criminal actions.

Procedures...

Please use the enclosed form to report the seizures that were reported to your office by local law enforcement personnel. If you would like the enclosed form in an excel spreadsheet, please call or e-mail our office at moaudit@auditor.mo.gov. Indicate the total number of seizures, **even if the number is zero**, that were reported to your office and the dollar value of the seized property. Make copies of the enclosed form to accommodate the number of seizures reported to your office and mail a copy to each of the following:

State Auditor of Missouri
PO Box 869
Jefferson City, MO 65102

Department of Public Safety
PO Box 749
Jefferson City, MO 65102

Questions or Suggestions...

Thank you for your immediate attention to this matter. If you have any suggestions to make this process more efficient, please direct them to Becky Webb.

Sincerely,

SUSAN MONTEE, CPA
STATE AUDITOR

Thomas J. Kremer, CPA
Director of Audits

Missouri Revised Statutes

Chapter 513

Executions and Exemptions

Section 513.607

Property subject to forfeiture--procedure--report required, when, contents--annual state auditor's report, contents--violations, penalty.

513.607. 8. The prosecuting attorney or attorney general to whom the seizure is reported shall report annually by January thirty-first for the previous calendar year all seizures. Such report shall include the date, time, and place of seizure, the property seized, the estimated value of the property seized, the person or persons from whom the property was seized, the criminal charges filed, and the disposition of the seizure, forfeiture and criminal actions. The report shall be made to the director of the Missouri department of public safety and shall be considered an open record. The prosecuting attorney or attorney general shall submit a copy of the report to the state auditor at the time the report is made to the director of the department of public safety.

9. The state auditor shall make an annual report compiling the data received from law enforcement, prosecuting attorneys and the attorney general, and shall submit the report regarding seizures for the previous calendar year to the general assembly annually by February twenty-eighth.

10. Intentional or knowing failure to comply with any reporting requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars.