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COUNTY OF SOLANO

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May 16, 2017

The Honorable Robert C. Fracchia
Presiding Judge
Solano County Superior Court
600 Union Avenue
Fairfield, CA 94533

Re: Response to 2016-2017 Grand Jury Report Entitled: Civil Asset Forfeiture: A Functional Review

The Honorable Robert C. Fracchia, Presiding Judge of the Solano County Superior Court:

Under Penal Code Sections 933 and 933.05, I am responding to the following recommendation contained in the 2016-2017 Grand Jury Report regarding Asset Forfeiture at the District Attorney's Office:

Finding 6- Solano County District Attorney's Office (DA) personnel use a handwritten log to assign and track asset forfeiture cases. There is no back up in the event the log is lost or destroyed.

Recommendation 6- The DA's Office review their internal policies and procedures and consider establishing an electronic database (such as an Excel spreadsheet) that can replace the handwritten log and allow for back up.

Response to Recommendation 6- The District Attorney's Office partially disagrees with the Grand Jury finding. The District Attorney's Office has maintained a handwritten General Ledger since the inception of the Asset Forfeiture program at the office. However, in addition to the handwritten General Ledger (GL), an electronic Department of Justice (DOJ) database was created in 2013 that included additional features regarding the status of each Asset Forfeiture case maintained in the DA's Office. Since 2013 to the present, all information contained in the handwritten General Ledger has and is being preserved in an electronic form on the DOJ database.

The Recommendation of the Grand Jury has been implemented by the District Attorney's Office. Recently (March 21, 2017), the DOJ database has been exported into an Excel program which maintains any and all of the necessary information as to each Asset Forfeiture case. The Asset Forfeiture Excel database has precise and accurate reporting. The capabilities of this new program are ideal for reporting purposes and to be more responsive to inquiries from law enforcement agencies, citizens, and the community. Based upon the updated Excel Program, the DA's Office will implement a policy beginning June 2017, where the DA's Office Asset Forfeiture paralegal will submit quarterly reports to each law

enforcement agency showing the seizures that have been received by the DA's Office. This will assist in the collaborative effort on the part of law enforcement agencies and the DA's office to keep track of the initiated cases, status, and adjudication of cases.

I would like to thank the Solano County Grand Jury for their time and attention to this matter. I appreciate the Solano County Grand Jury shedding light on California's Asset Forfeiture laws which are set forth in Health and Safety Code Sections 11469-11495. As stated in Section 11469(j), "... Asset forfeiture is intended to be remedial by removing the tools and profits from those engaged in the drug trade. Because it can have harsh effects on property owners in some circumstances, the law provides for a guarantee of adequate notice and due process to property owners." The laws set forth in the statute ensure that the forfeiture serves the remedial purpose of the law.

I appreciate the Grand Jury's recommendation made to our office.

Sincerely,



Krishna A. Abrams
District Attorney

KAA:mpm

cc: Grand Jury