



CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

POLICE DEPARTMENT

Home of
Travis Air Force Base

July 7, 2017

COUNCIL

Mayor
Harry T. Price
707.428.7395
Vice-Mayor
Chuck Timm
707.429.6298
Councilmembers
707.429.6298
Pam Bertani
Catherine Moy
Rick Vaccaro

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

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

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City Manager
David A. White
707.428.7400

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City Attorney
Gregory W. Stepanich
707.428.7419

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City Clerk
Karen L. Rees
707.428.7384

• • •

City Treasurer
Arvinda Krishnan
707.428.7498

DEPARTMENTS

City Manager's Office
707.428.7400

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Community Development
707.428.7461

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Parks & Recreation
707.428.7465

• • •

Finance & Technology
707.428.7398

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Fire
707.428.7375

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Police
707.428.7362

• • •

Public Works
707.428.7485

Dear Judge Fracchia:

This letter is in response to the report issued by the 2016-2017 Solano County Grand Jury on law enforcement agencies' Civil Asset Forfeiture process. The Fairfield Police Department proffers the following information regarding the findings of the 2016-2017 Grand Jury.

In reference to the Grand Jury's Finding 1, the City of Fairfield agrees with this finding and will ensure an annual financial audit is performed of all credits and debits to the seized proceeds holding accounts as required by California Health and Safety Code §11469. A procedure for such audits will be implemented during fiscal year 2017-2018.

In reference to the Grand Jury's Finding 2, the Fairfield Police Department partially agrees with this finding. Our review shows we currently have approximately \$30,000 in non-returnable funds where we are unable to find the owner. Before the end of calendar year 2017, the Police Department will follow escheatment procedures set forth by the California Government Code.

In reference to the Grand Jury's Finding 4, the Police Department disagrees with this finding. The department has ensured that all proceeds seized as asset forfeiture cases have been properly reported to the Solano County District Attorney's Office, as required by law. The Police Department has worked cases with federal law enforcement agencies where assets seized were done so by said agencies under federal law and notification of the district attorney's office, under §11488.2 of the California Health and Safety Code, was not applicable.

Letter to Judge Robert Fracchia

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

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In reference to the Grand Jury's Finding 5, the City of Fairfield agrees with this finding. The Finance Department is developing a way to ensure that during fiscal year 2017-2018, the General Ledger information related to asset forfeiture cases contains adequate information and is searchable.

In reference to the Grand Jury's Finding 7, the Police Department partially agrees with this finding. The department reviewed our asset forfeiture cases and found 21 cases where the value of the proceeds seized was believed to be in excess of \$5,000, and proper notification was made to the California Franchise Tax Board on June 6, 2017, as required by law.

As an organization we thank the Grand Jury and its members for their time and attention to the issue of Civil Asset Forfeitures. We understand the importance of maintaining the public's trust in this area of law enforcement. We are committed to being good stewards of the proceeds that are seized and ensuring good accounting practices and the law are properly followed at all times.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy J. Fenn', written in a cursive style.

RANDY J. FENN
Interim Chief of Police