

Civil forfeiture allows police and prosecutors to seize cash and property based on a suspicion, and then force the owners to sue the government to get their property back. The government does not have to charge the owners with any crime, nor does the government have to prove the cash or property was used in a crime. The owners have to prove it was NOT used in a crime. Let me repeat this: The OWNERS have to prove their cash or property was NOT used in a crime. This violates the very foundation of our judicial system: That you are INNOCENT until proven guilty. Prosecutors have enabled legalized extortion by the very government that is sworn to protect us FROM extortion. And, seized property and cash can go right into the operating budget for law enforcement...a conflict of interest that also cannot stand.

I call on THIS commission to strongly recommend to the Fairfax Supervisors to BAN ALL use of civil forfeiture in Fairfax County as a matter of policy. Prosecutors are still able to use criminal forfeiture as a means to seize cash and property, charge the owners with a crime and....here is an interesting concept: PROVE A CRIME WAS COMMITTED TO TAKE THEIR CASH AND PROPERTY. JUSTICE requires us to act.

Now, on the topic of use of force: Fairfax County Police have used an excessive amount of force in too many instances, and too often have ended in lethal results. This has to stop. ALL use of Special Operations must have better oversight. No police should have held a muzzle on Mr. Geer while he was standing at the door of his own home. Officers can quickly cover the citizen with their muzzle with plenty of time to take a shot.

Use of Special Operations or SWAT teams for domestic disturbances and to raid poker games in Mclean are excessive...SWAT team members muzzling unarmed citizens with firearms...when safer and less lethal tactics were appropriate. No-knock warrants need to be approved by an oversight board and the home addresses and identities need to be triple-checked, and JUSTIFIED before they enter that home.

Our police must be retrained to keep their muzzles off citizens until they become a threat, SWAT and Special-Ops raids need to be vetted and justified, and safer and smarter tactics must be used when no active shooter or threat is present. We are citizens, not targets. Thank You.

REFERENCES

Washington Post Investigation Results

<http://www.washingtonpost.com/sf/investigative/2014/09/06/stop-and-seize/>

Mandrel Stuart had his funds seized by Fairfax County and was forced to sue to get the funds back. Fairfax had to pay his attorney fees.

<http://www.forbes.com/sites/jacobsullum/2014/09/11/how-cops-got-a-license-to-steal-your-money/>

Seized Assets and Funds Audit, 2011

http://www.fairfaxcounty.gov/audit/pdf/reports/2011reports/11-10-01_policedept_for_public_final.pdf

Other States abusing civil forfeiture:

<http://www.washingtonpost.com/sf/investigative/2014/09/08/they-fought-the-law-who-won/>

Using “Low Ready” instead of pointing the gun (muzzling) the suspect is fast:

<https://www.swatmag.com/articles/the-low-ready-position>

Police Tactics that take into account the level of the threat: Don't Muzzle Citizens

<http://www.lawofficer.com/articles/print/volume-8/issue-2/training/ready-or-not.html>

The muzzle of the weapon is raised only when engaging a target.

<http://cqb-team.com/shooting.php>

Perpetuating Bad Habits of Holding a Firearm

<http://www.spartancops.com/target-habituation-law-enforcement-firearms-training/>