

Congress of the United States
House of Representatives
Washington, DC 20515-2207

January 26, 2015

Chairman Chuck Grassley
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building 20510
Washington, D.C. 20510-6050

Ranking Member Patrick Leahy
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building 20510
Washington, D.C. 20510-6050

Chairman Grassley & Ranking Member Leahy,

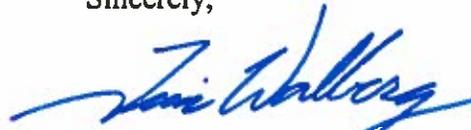
As you prepare for the confirmation hearing for Attorney General Nominee Loretta Lynch, I urge you to pursue questions related to existing federal civil asset forfeiture policies and seek answers on Ms. Lynch's previous use of civil forfeiture as the U.S. Attorney for the Eastern District of New York. In light of recent announcements by the Department of Justice to eliminate some adoptive seizures through equitable sharing, it is imperative the Senate Judiciary Committee inquire to the prospective Attorney General about her views on civil asset forfeiture as they weigh her qualifications for this position.

It has been widely reported that during her tenure at the U.S. Attorney's office, Ms. Lynch participated in over 120 civil asset forfeitures. In fact, from 2011 to 2013 her office seized over \$113 million in civil forfeitures. A disturbing example under Ms. Lynch's watch is the Bi-County Distributors case where her prosecutors confiscated \$446,651 from a small business run by brothers Jeffrey, Richard, and Mitch Hirsch. The facts in this case, as well as many others, show the abusive nature of civil asset forfeiture.

Therefore, we ask all Members of the Senate Judiciary to vigorously question Ms. Lynch about the Bi-County Distributor case, her office's extensive practice of civil forfeiture during her tenure and her plans to use civil forfeiture as the chief law enforcement offices of our nation.

While there are legitimate uses of criminal forfeiture, the use of civil forfeiture to go after property without charging property owners with crimes should not be accepted. I appreciate your consideration of this matter and hope to work with the Committee in the future to ensure constitutionally guaranteed due process and property rights are protected.

Sincerely,



Rep. Tim Walberg (MI-07)
Member of Congress