



October 5, 2020

Via Electronic Mail

Ms. Sherry Scott
City Attorney
Scottsdale City Attorney's Office
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251
sscott@scottsdaleaz.gov

Re: Prompt return of \$5,300 to Mr. Luis Garcia

Dear Ms. Scott:

The Goldwater Institute represents Mr. Luis Garcia. The purpose of this letter is to seek the return of \$5,300 in cash that was seized from Mr. Garcia's residence by the Scottsdale Police Department on October 26, 2019. Mr. Garcia, who has not been charged or implicated in any crime, obtained the money legally, as explained below, and is entitled to its prompt return.

On October 26, 2019, Mr. Garcia's home at 2826 E. Decatur Street, in Mesa, Arizona, was raided by the Scottsdale Police Department because of alleged prior criminal wrongdoing by Mr. Garcia's adult son, Quency Hernandez (SPD Case No. 19-21128). The Goldwater Institute does not represent Mr. Hernandez and is not involved in his criminal case. During the course of this raid, the Department seized \$5,300 in U.S. currency from Mr. Garcia's, as shown on page 28 of the attached Police Report.

This \$5,300 did not and does not belong to Mr. Hernandez. It is the sole and legally obtained property of Mr. Garcia. It consists of money that Mr. Garcia collected for the Copa Univision Arizona 2019 youth soccer tournament. Mr. Garcia performs work as a contractor for the Univision television network. The soccer tournament was held on November 2, 2019 in Phoenix.

Univision provided promotional services for the tournament. Individual youth soccer teams each contributed to the cost of this promotion. It was Mr. Garcia's job to travel to the individual soccer teams in order to collect their share of the costs. Receipts for the money that Mr. Garcia collected are attached to this letter.

After the seizure of the money, Mr. Garcia was forced to take out two title loans in order to make the payment to Univision, which he did. Receipts for the title loans are attached to this letter. Meanwhile, there has been no notice of forfeiture filed by you in over nine months. There has been no allegation that the money belongs to Mr. Hernandez, rather than Mr. Garcia. Your Department simply seized the money and has continued to hold it without cause or explanation.

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Therefore, we hereby demand that you immediately return the \$5,300, listed on the attached Police Report to Mr. Garcia in order to rectify this erroneous seizure. Please contact me at (602) 462-5000 or jriches@goldwaterinstitute.org in order to discuss how this will be accomplished. If the money is not promptly returned to Mr. Garcia, we will take further legal action as necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Riches", written over a light grey rectangular background.

Jon Riches

Director of National Litigation & General Counsel
Scharf-Norton Center for Constitutional Litigation
at the Goldwater Institute