



Pierce County

Office of the Prosecuting Attorney

REPLY TO:
CRIMINAL FELONY DIVISION
930 Tacoma Avenue South, Room 946
Tacoma, Washington 98402-2171
Victim-Witness Assistance: 798-7400
FAX: (253) 798-6636

**RECEIVED
CITY MANAGER'S OFFICE**

GERALD A. HORNE
Prosecuting Attorney

MAY 21 2008

Main Office: (253) 798-7400
(WA Only) 1-800-992-2456

May 20, 2008

Mr. Eric Anderson
City Manager
City of Tacoma
747 Market Street
Tacoma WA 98402

Re: Taxpayer money spent on posting bail for felony criminal defendants

Dear Mr. Anderson:

It has recently come to my attention that taxpayer money has been spent to post bail for a criminal defendant, Keisha Jackson, who is charged with a felony offense.

By way of background information, I charged Keisha Jackson with two counts of Custodial Interference in the first degree after she violated a court order by failing to return her children to Washington State as the court had ordered her to do. The case is filed in Pierce County Superior Court under cause 08-1-01536-1. As a result of the criminal charges, Keisha Jackson was arrested in the state of Florida. I also obtained a writ of habeas corpus for two of the children involved, as I am authorized to do under RCW 26.27.541. This was done in an effort to enforce the court order requiring the children to be brought back to the State of Washington. The documents relating to custody and the writs of habeas corpus are filed in Pierce County Superior Court under cause 05-3-02659-6.

Almost immediately after Ms. Jackson was arrested, I was contacted by China Fortson who left me a voice mail message which included her city telephone number. She identified herself as a victim advocate with the City of Tacoma, either in her voice mail message or in my subsequent conversation with her. When I returned her call, she provided me with information that Keisha Jackson's ex-husband, Kelvin Jackson, has an extensive history of domestic violence and abusive behavior toward Keisha Jackson and others. While I appreciated any relevant background information, the manner and tone in which it was presented made me feel as though it was not being presented objectively, as I would expect from a professional in the criminal justice system. I reminded Ms. Fortson several times that it was not my job to apportion blame or determine who the abuser is, but that Keisha





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Jackson was charged with a crime because she had withheld the children in violation of a court order. I could tell that Ms. Fortson was not at all satisfied with my explanation.

Keisha Jackson was extradited back to Washington and booked into the Pierce County jail while the children remained with relatives in Florida. I was later told by Mr. Jackson that China Fortson had posted bail for Ms. Jackson, thereby securing her release from jail. Mr. Jackson also informed me that Ms. Fortson spent last Thanksgiving with Ms. Jackson. Mr. Jackson later told me that he believed that Ms. Jackson was residing with Ms. Fortson.

I was called in early May by Sgt. Jeremy Snow of the Santa Rosa County, Florida sheriff's department. Sgt. Snow informed me that a China Fortson had called him and was attempting to "manipulate" law enforcement to enact an AMBER alert, following Mr. Jackson's use of a ruse to return one of the children to Washington. I briefed Sgt. Snow on the history of the case, and he was still of the opinion that an AMBER alert was not justified and that China Fortson was being manipulative. I do not know exactly what Ms. Fortson told Sgt. Snow, but it appears that my concerns are shared by others. Again, I do not in any way vouch for Mr. Jackson, and I would expect that he would be held accountable for any violation of law resulting from his actions in Florida.

More recently, I was contacted by Jacqueline Strong Moss with the City of Tacoma, who left me a voice mail message requesting that I contact her at (253) 591-5849 regarding a complaint filed against Ms. Fortson by Mr. Jackson. I returned her call, and explained that I do not represent Mr. Jackson and I was unwilling to vouch for his character, but that I had some serious concerns regarding Ms. Fortson's use of her official position. I explained that Ms. Fortson had contacted me in her official capacity and had not disclosed that she had a personal relationship with Ms. Jackson. I felt that this was inappropriate and undermined the sense of trust that I would have in a professional within the criminal justice system, and that I expected her to provide me with information in an objective manner if she was contacting me as a city employee. Ms. Strong Moss indicated that Ms. Fortson denied that Ms. Jackson was residing with her. Ms. Strong Moss did not appear to see any problem with Ms. Fortson's actions, and indeed seemed to support Ms. Fortson's efforts to "zealously advocate" for Ms. Jackson. When I inquired about Ms. Fortson posting bail for Ms. Jackson, I was told that while that may appear to be the case, it was actually grant money that was being used. When I inquired if taxpayer dollars were being used to post bail for criminal defendants, I was told that it happens on rare occasions such as this. Ms. Strong Moss did not express any concern over this process.

Mr. Jackson subsequently informed me that his daughter told him that she had attended China Fortson's wedding. If this is true, I would assume that Keisha Jackson was also in attendance.





Mr. Eric Anderson

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I am concerned primarily that taxpayer dollars are being used to post bail for defendants facing felony charges. My concern is heightened over the appearance that this was partly motivated by a personal relationship between Ms. Fortson and Ms. Jackson. This erodes public confidence in the criminal justice system on several different levels. I would appreciate your thoughts on this matter. I can be reached at (253) 798-7745 if you have any further questions. Thank you.

Very truly yours,

Grant Blinn
Deputy Prosecuting Attorney

gb

cc: Gerald Horne, Gerald Costello, Elizabeth Pauli, John Briehl





City of Tacoma
City Manager

February 17, 2009

CERTIFIED MAIL and REGULAR MAIL

Ms. China Fortson



U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To <i>China Fortson</i>	
Street, Apt. No., or PO Box No.	
City, State, ZIP+	
RS Form 3800, January 2001 See Reverse for Instructions	

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Dear Ms. Fortson:

On May 21, 2008, I received a letter filing an ethics code violation complaint on you for using taxpayer money to post bail for a felony criminal defendant, Keisha Jackson. In addition it was alleged that you misused your official position with the City of Tacoma, which had the appearance of being motivated by a personal relationship between Ms. Jackson and yourself. The complaint filed against you was entered into the City of Tacoma's Conduct Complaint Management System (CCMS) on May 21, 2008 and assigned #08-05-374. This complaint was investigated by City of Tacoma Risk Analyst Tracy Storwick.

Pursuant to the attached Findings and Conclusion dated February 12, 2009, my recommended disposition of this matter is as follows:

There was a violation of the City of Tacoma's Code of Ethics by you for misusing your official City position and City funds to secure special privileges for Keisha Jackson.

Pursuant to Tacoma Municipal Code 1.46.040 (J), you as the party complained against, may within ten business days of the date of this disposition, request in writing a formal hearing before the Hearing Examiner. This disposition will take effect on March 4, 2009, provided no such hearing has been requested.

Sincerely,

Eric A. Anderson
City Manager

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Attachment