



COLORADO
Department of Human Services

November 1, 2020

The Honorable Jared Polis
Governor, State of Colorado

The Honorable Phil Weiser
Attorney General, Colorado Attorney General's Office

The Honorable Pete Lee
Chair, Colorado General Assembly Senate Judiciary Committee

The Honorable Mike Weissman
Chair, Colorado General Assembly House Judiciary Committee

Governor Polis, Attorney General Weiser, Senator Lee, and Representative Weissman:

The Colorado Department of Human Services, in response to reporting requirements set forth in Section 16-13-701 (8)(a), C.R.S., respectfully submits the attached Accounting of Forfeited Property Dollars report.

“Not later than December 31, 2019, and each December 31 thereafter, the executive director shall submit a report summarizing seizure and forfeiture activity in the state for the prior fiscal year to the governor; the attorney general; and the judiciary committees of the senate and the house of representatives, or any successor committees. The report must also be posted on the division's website. The report must include:

- (I) The type, approximate value, and disposition of all property seized;*
- (II) The amount of any forfeiture proceeds received by the state and any subdivision of the state; and*
- (III) A categorized accounting of all forfeiture proceeds expended by the state and any subdivision of the state.”*

If you have any questions, please contact Kevin Neimond, Legislative Director, at 303-620-6450.

Sincerely,

Michelle Barnes

Michelle Barnes
Executive Director, Colorado Department of Human Services



Annual Accounting of Forfeited Property Legislative Report

C.R.S. 16-13-701(9)(a)

Fiscal Year 2020

July 1, 2019 – June 30, 2020



COLORADO

Office of Behavioral Health

Department of Human Services

Introduction

The following report provides a brief overview on an Annual Accounting of Forfeited Property for Fiscal Year (FY) 2019-20. The Colorado Department of Human Services, Office of Behavioral Health respectfully submits this FY 2019-20 report titled “Annual Accounting of Forfeited Property Legislative Report” in compliance with Colorado Revised Statute 16-13-701(9)(a), which states:

The office of behavioral health shall prepare an annual accounting report of money received by the managed service organization pursuant to section 16-13-311 (3)(a)(VII)(B), including revenues, expenditures, beginning and ending balances, and services provided. The office of behavioral health shall provide this report to the health and human services committee of the senate and the public health care and human services committee of the house of representatives, or any successor committees.

The Office of Behavioral Health contracts with the state’s Managed Service Organizations (MSOs) to ensure a network of substance use treatment services for uninsured and underinsured Coloradans throughout the state. The MSOs receive money from forfeiture proceedings due to Colorado Revised Statute 16-13-311(3)(a)(VII)(B):

Twenty-five percent to the managed service organization contracting with the office of behavioral health in the department of human services serving the judicial district where the forfeiture proceeding was prosecuted to fund detoxification and substance use disorder treatment. Money appropriated to the managed service organization must be in addition to, and not be used to supplant, other funding appropriated to the office of behavioral health;

OBH has no authority over how the MSOs distribute forfeited property dollars but does receive the information provided in this annual accounting report.

Revenues, Expenditures and Beginning and Ending Balances for FY 2019-20

As required by C.R.S. 16-13-311 (3)(a)(VII)(B), the designated MSOs allocate monies to substance use disorder treatment and withdrawal management programs in the judicial districts in which forfeiture proceedings were prosecuted.

Table 1 details the reporting of civil forfeiture funds for FY 2019-20 by the four MSOs, as required by statute.

Table 1. Civil Forfeiture, FY 2019-20

	<i>Signal Behavioral Health</i>	<i>West Slope Casa</i>	<i>AspenPointe</i>	<i>Mental Health Partners</i>	<i>Total All MSOs</i>
<i>Beginning Balance</i>	\$566,963.97	\$22,244.40	\$136,308.90	-	\$725,517.27*
<i>Revenue Received</i>	\$249,244.40	-	\$33,332.07	\$2,556.68	\$285,133.15
<i>Distribution</i>	\$299,361.21	-	\$30,937.50	\$2,556.68	\$332,855.39
<i>Ending Balance</i>	\$516,847.16	\$22,244.40	\$138,703.47	-	\$677,795.03

*The beginning balance for all MSOs for FY 2019-20 does not match the ending balance reported in the FY 2018-19 Civil Forfeiture Report due to inaccurate reporting in the FY 2018-19 report.

Services Provided for FY 2019-20

For Fiscal Year 2019-20, West Slope Casa reported neither receiving nor dispersing civil forfeiture funds. A total of \$332,855.39 was expended on treatment and detoxification services (including administrative charges) from Signal Behavioral Health, AspenPointe and Mental Health Partners. Signal Behavioral Health disbursed \$299,361.21, of which \$38,916.95 was administrative charges. AspenPointe disbursed \$30,937.50, of which \$2,812.50 was administrative charges. Mental Health Partners disbursed \$2,556.68 for services with no administrative charges.