

# Colorado earns a C for its civil forfeiture laws:

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 75% of forfeiture proceeds go to law enforcement (50% to law enforcement directly and 25% to a law enforcement community services fund that funnels proceeds back to law enforcement; the remaining 25% goes to drug rehabilitation programs).

## Recent Reforms

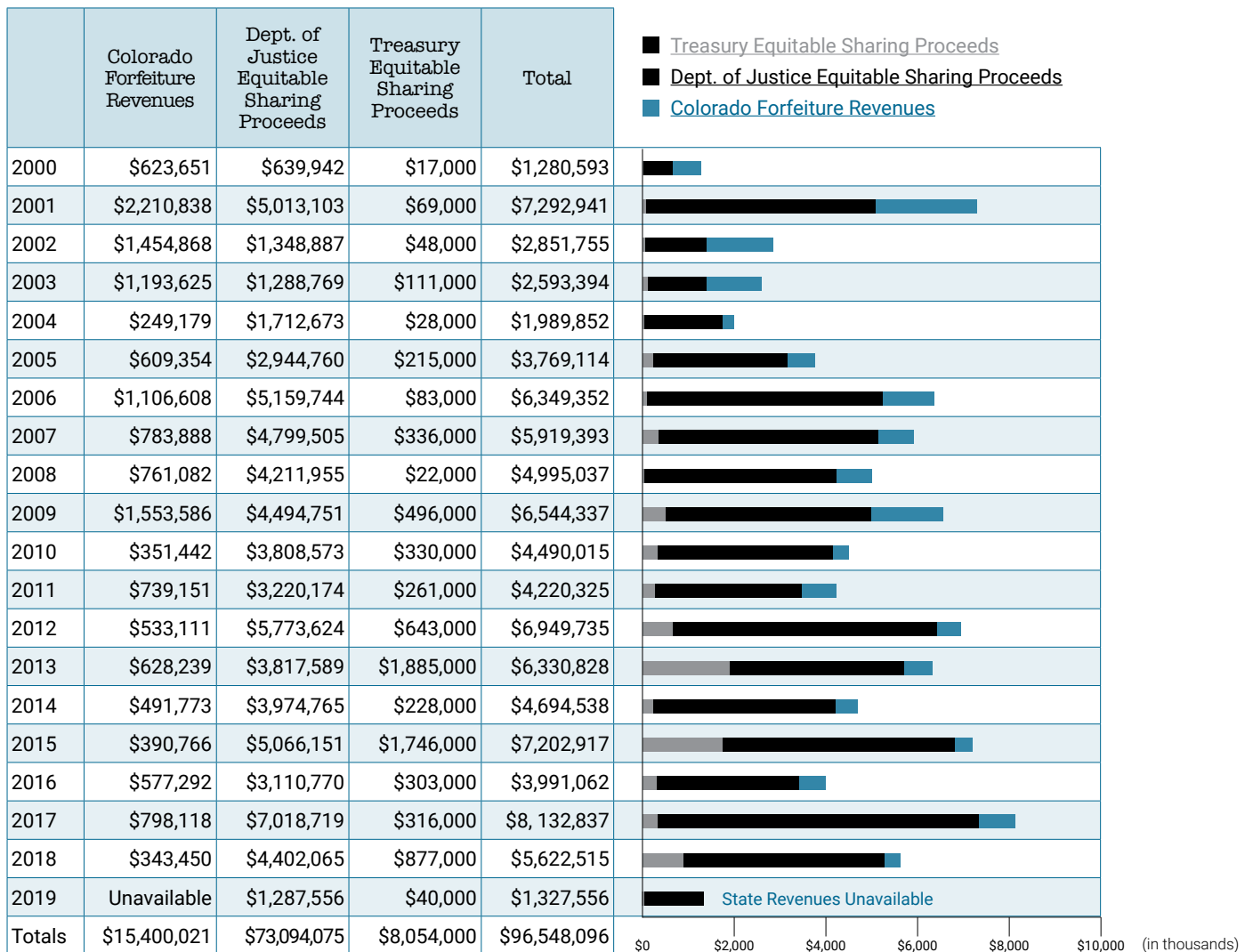
- (2018) HB 18-1020: Extended transparency requirements to cover forfeitures under local ordinances; but also created another grant program, funded by legislative appropriations, to reimburse local agencies for funds they would have received but for the limits on their participation in federal equitable sharing; effectively increased the state's profit incentive from 50% to 75% by creating "community services" grant program, funded in part by forfeiture proceeds, to provide law enforcement agencies with funding for technology and training, among other purposes.
- (2017) HB 17-1313: Imposed new limits on participation in federal equitable sharing; strengthened transparency requirements by adopting IJ's model reporting legislation.

## State and Federal Forfeiture Revenues, 2000–2019

Between 2000 and 2018, Colorado law enforcement agencies forfeited more than \$15 million under state law. Between 2000 and 2019, they generated an additional \$81 million from federal equitable sharing, for a total of at least \$96 million in forfeiture revenue. Colorado ranks 39th for its participation in the Department of Justice's equitable sharing program. However, in 2017, the state prohibited agencies from receiving federal proceeds from property worth less than \$50,000.

**At least \$96.5 million  
in state and federal  
forfeiture revenue**

2000–2019



All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. State reporting requirements changed in 2017.

# Colorado's Forfeiture Transparency and Accountability Report Card

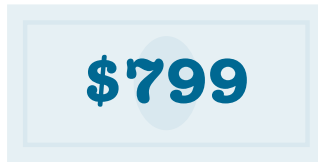
Tracking Seized Property	<b>B</b>	Accessibility of Forfeiture Records	<b>A</b>
Accounting for Forfeiture Fund Spending	<b>A</b>	Penalties for Failure to File a Report	<b>C*</b>
Statewide Forfeiture Reports	<b>A</b>	Financial Audits of Forfeiture Accounts	<b>A</b>

\* Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit [www.ij.org/TransparencyReportCards](http://www.ij.org/TransparencyReportCards).

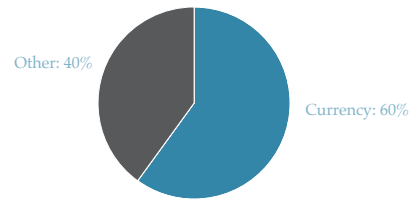
## Forfeitures Under Colorado Law: Key Facts

### Median Value



From 2017 to 2018, half of Colorado's currency forfeitures were worth less than \$799.

### Property Types



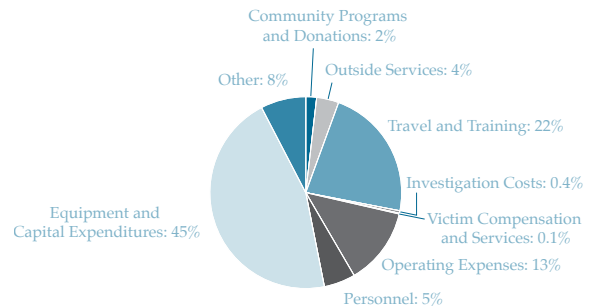
From 2017 to 2018, 60% of Colorado's forfeitures were of currency.

### Civil vs. Criminal

**UNKNOWN**

Colorado does not report whether forfeitures are processed under civil or criminal forfeiture law.

### Expenditures



From 2017 to 2018, Colorado law enforcement spent \$6 million from forfeiture funds—nearly half on equipment and capital expenditures.

### Data Notes

Forfeiture proceeds for 2000 through 2016 were obtained via public records requests to the Colorado Department of Local Affairs. Property-level proceeds and expenditure data for 2017 through 2018 are from DOLA's website. All figures are in calendar years. Expenditure data cover spending of state and federal funds and cover the 50% of proceeds retained within the agency, excluding mandatory disbursements. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, state figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data.