

## Debra Unger

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**From:** Debra Unger on behalf of Darin Atteberry  
**Sent:** Tuesday, March 18, 2014 12:42 PM  
**To:** Ross Cunniff  
**Cc:** City Council; Darin Atteberry; Diane Jones; Greg Yeager; Don Vagge; John Hutto; Lonnie Murt; Jim Szakmeister; Sarah Kane  
**Subject:** RE: Question on Tonight's [Agenda] Item 11 (Council SAR #25273)  
**Attachments:** 156771\_NCDTF\_Reply\_Item\_11\_Request.pdf

Ross,

Please see the attached response from Police Commander Greg Yeager re: your inquiry about Item 11 on tonight's Council agenda concerning the Northern Colorado Drug Task Force.

Commander Yeager prepares various reports for different entities (Department of Justice, High Intensity Drug Trafficking Areas Program, and the Executive Officer Board), but there is not a specific annual report that addresses funding and operations. The attached document is a conglomeration of them.

I will include this information in the read-before packet for tonight's meeting.

*Debra Unger*

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**From:** Ross Cunniff  
**Sent:** Tuesday, March 18, 2014 8:40 AM  
**To:** Darin Atteberry  
**Cc:** City Council  
**Subject:** Question on Tonight's Item 11

Darin,

Item 11, the Drug Task Force item, includes the following:

In addition, because of the significant decrease in federal funds available for drug enforcement, the NCDTF is transferring \$236,160 from its forfeiture reserve account to its 2014 operating budget to cover unfunded expenses. The majority of the forfeiture reserve account is made up of assets seized from people engaged in illegal drug activities.

Which drug actives and what kind of assets are feeding this reserve? How much is our typical "annual revenue" for it? And what activities does the task force perform? Is there an annual report?

Thanks,  
Ross

G. Yeager reply to R. Cunniff Request: 03/18/14

### **Northern Colorado Drug Task Force (NCDTF) Structure and Operations**

The NCDTF is a multi-agency narcotics investigation team consisting of co-located officers from three agencies. The NCDTF focuses on long-term investigations of middle to upper-level drug trafficking organizations (DTOs) across Larimer County. While NCDTF personnel investigate the illegal distribution of any narcotic substance, the majority of substances involved are methamphetamine (meth), heroin, cocaine, and synthetic marijuana (spice).

Part of the drug law enforcement strategy employed by the NCDTF focuses on education and prevention. The NCDTF participates biannually in the DEA Prescription Drug Take Back to remove expired and unneeded medications from the homes of citizens and the cabinets of care facilities while avoiding their disposal into our landfills and water supplies. NCDTF personnel regularly provide training to individuals and organizations on drug use awareness and hazardous situations such as meth lab components and contaminants.

In 2013, the NCDTF targeted and dismantled three large DTOs. Two involved the coordinated distribution of methamphetamine and one involved the local production and interstate distribution of spice. Statistical results are:

- Felony Arrests: 80
- Drugs Seized (approx.):
  - Spice: 89 pounds
  - XLR11: 2268 ml
  - Marijuana: 89 pounds
  - Methamphetamine: 6 pounds
  - Hallucinogens: 152 grams (456 Dosage Units 'DU')
  - Pharmaceuticals: 233 pills + 59.5 g (412 DU)
  - Heroin: 36 grams
  - Cocaine: 18 grams
  - Club Drugs: 9 pills
- Weapons Seized: 16
- Clandestine Meth Labs: 1

## **NCDTF Funding**

For the past 16 years, the NCDTF has benefitted from funding injections gathered from Byrne Justice Assistance Grants (JAG) and Rocky Mountain High Intensity Drug Trafficking Area (HIDTA) grants. However, each year the contributions from those sources are subject to tighter Congressional controls and budget limits.

The NCDTF spent the last few years building the Project Account to accommodate increased financial burdens as the Federal awards decreased. The Executive Officer Board (EOB) voted to institute a reserve balance of \$700,000 to maintain NCDTF operations for 3-5 years should grant funding cease. That time period would allow the EOB to determine future funding avenues and disposition of the NCDTF.

### **Byrne Justice Assistance Grant**

JAG funds for Oct 2013-Sept 2014 were \$57,722. That was a \$7,851 decrease from the previous year. However, JAG awards have dropped by an average of \$12,638 each year over the last four years, and will likely be less than \$55,000 in 2014-2015 due to those cuts. Applications are normally completed in April of each year.

### **HIDTA**

HIDTA funding has remained relatively consistent over the same time period, but has been subject to increased performance scrutiny. The HIDTA award is \$95,853 for 2014.

### **Recent History of Federal Funding**

<b>Year</b>	<b>JAG</b>	<b>HIDTA</b>	<b>NCDTF Total</b>
2009	\$108,275	\$105,000	\$213,275
2010	\$93,129	\$84,124	\$177,253
2011	\$77,927	\$94,323	\$172,250
2012	\$65,573	\$93,464	\$159,037
2013	\$57,722	\$96,007	\$153,729
2014	\$TBD	\$95,853	\$95,853+

\*Red denotes decreases in funding.

### **Funding Allocations and Balances**

HIDTA funds are specifically dedicated to categories such as the building rent, copier expense, and alarm system.

JAG funds are used for supplement agency overtime pay allocations and to pay for specialized computer connectivity and maintenance contracts. 2013-2014 JAG funds were completely exhausted by December 2013 due to a large Title III DTO investigation at the end of the year. Additional funds will not be available until October 1, 2014.

### **Assets Seized Towards "Annual Revenue"**

The NCDTF uses civil sanctions as an effective deterrent against criminal activity in Larimer County. The NCDTF institutes civil forfeiture proceedings when in the best interests of the community and the participating agencies of the NCDTF. Items typically seized are vehicles, U.S. Currency, structures, and other devices/items that are shown by investigation to be directly tied to criminal activity.

The NCDTF files all asset forfeiture cases for each managing agency. Assets meeting the following thresholds are eligible to be seized:

- The total value of currency seizure must be at least \$500.00
- The persons from whom currency is seized must be named as defendants in a criminal or civil action; and
- The value of vehicles or other property seized must be at least \$2,000.

Income derived as a result of drug asset forfeiture cases is placed in a seizure revenue fund maintained by City finance, the NCDTF financial officer, and the NCDTF commander assigned to the NCDTF. The cumulative percentage of the grants in relation to the total NCDTF operating budget, including funds expended from each managing agency, dictates the percentage of forfeiture income that MUST be used for NCDTF project activity. The remaining income from drug asset forfeitures may be disbursed to participating agencies based upon a formula approved by the EOB, but that reflects by percentage each agency's personnel participation in the NCDTF. As stated above, since grant funds have decreased in recent years, the EOB voted to institute a reserve balance to maintain operations for 3-5 years should grant funding cease.

Use of forfeiture income appropriated to the NCDTF is discretionary with the commander, but can only be used for project activities such as purchase of equipment, professional services, training costs, confidential funds, and other items necessary for NCDTF operations. Federal seizure income is spent according to Department of Justice Guidelines. The commander provides a quarterly accounting of all expenditures to the EOB. The total income for 2013 was \$227,488 with an average "annual revenue" over the last three years of \$269,338.