

House Judiciary

02/06/2024 01:30 PM

HB24-1023 Civil Forfeiture Reform

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Heather Copeland Against themselves	<p>My name is Heather Copeland and I am a physician who is also a former sheriff's deputy. I am testifying on my own behalf today. I believe my unique position and perspective are very important to this bill. As a former law enforcement officer I've seen first hand the corruption within police and sheriffs departments. Allowing civil forfeiture before the accused has been given due process is a violation of the 5th amendment. Civil forfeiture not only allows but ENCOURAGES police officers to seize property without a clear and distinct due process for the return of that property. With the track record of police brutality and corruption and the increased scrutiny by the public this is the ideal time to ensure civil forfeiture is a fair and legal process. This bill spells out a path forward for civil forfeiture that includes due process and clear instructions for when and how property may be seized and the process for property return.</p> <p>To put the current bill into perspective let me give you a real life scenario. In my clinic we use Ketamine and other controlled substances to manage chronically ill patients as well as end of life care. Due to the current shortage of medications across the county I can no longer order medications from our supplier. This means I must have all of our medications compounded at a special compounding pharmacy. At any given time I could have thousands of dollars worth of ketamine and Ativan in my car while transporting them to our office in Colorado Springs. Both of these items are controlled substances. While I'd NEVER consent to a search of my vehicle we all know how dirty cops work and there's always a way to write up probable cause for the search. So let's say I have the unfortunate experience of being pulled over and searched. When the officer finds thousands of vials of controlled substances in my vehicle you can guarantee I'm going to jail and my assets will be seized. All for a lawful activity. This bill needs to be corrected with clear and precise directions and guidance. In my opinion this bill should also include civil, administrative and punitive measures to any agency that seizes assets and violates these statutes.</p>

	<p>There is certainly a place and a time where civil asset forfeiture is absolutely plausible but even in open and shut cases every american is entitled by our constitution to due process. I ask that you correct and enhance this bill to reflect the will of the people.</p> <p>I thank you for your time today.</p>
<p>Tom Raynes Amend Colorado District Attorneys Council</p>	<p>CDAC is working on extensive amendment ideas, perhaps even a strike below concept, in the event this bill passes out of committee today. As introduced the bill is overly prescriptive, offender friendly and contrary to public safety interests.</p>