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<b>Section-12 Fiscal Management</b>	<b>OP-120601</b>	<b>Page: 1</b>	<b>Effective Date: 09/19/2023</b>
<b>Disbursement of Federal and State Seizure Funds and Property</b>	<b>ACA Standards: 2-CO-1B-01</b>		
<b>Steven Harpe, Director Oklahoma Department of Corrections</b>		<b>Signature on File</b>	

## Disbursement of Federal and State Seizure Funds and Property

### I. Federal Funds

Funds and/or property received from the Forfeiture Program of the Department of Justice, or any other state forfeiture program, will be utilized as a budget enhancement and not as a budget offset of the Oklahoma Department of Corrections (ODOC) unit whose action resulted in the seizure.

Such funds will be deposited into the ODOC 1131 clearing account. Locations that have a local bank set up to receive deposits will deposit the funds and e-mail a scanned copy of the deposit to the ODOC Business Services Budget and Planning unit. Otherwise, the funds will be delivered directly to the ODOC Business Services Budget and Planning unit for deposit. The funds will then be transferred to the ODOC revolving fund.

#### A. Budgets

A request to spend the total dollar amount received will be prepared by the facility/unit head. This request will be forwarded to the affected senior staff or designee for review and approval.

#### B. Purchases

All purchases will be made in accordance with [OP-120103](#) entitled "Acquisitions and Dispositions," state statutes and Office of Management and Enterprise Services procedures.

#### C. Property

All property will be handled in accordance with [OP-120801](#) entitled "Asset

Management.”

D. Reports

A report of total seizure funds and/or property received and expended will be prepared quarterly by Business Services staff and submitted to the chief Financial Officer and the agency director. (2-CO-1B-01)

II. State Assets

The ODOC is eligible to receive seized property from certain identified Oklahoma law enforcement agencies pursuant to 63 O.S. § 2-508., and in accordance with [OP-120801](#) entitled “Asset Management.”

A. Notification

1. The chief administrator of Contracts and Acquisitions will be notified by the applicable agency that property is available.
2. The chief administrator of Contracts and Acquisitions will then announce the availability of property to facilities/districts/units.
3. Agency staff that are made aware of available property for acquisition from local authorities will notify the chief administrator of Contracts and Acquisitions within two working days. The chief administrator will then advise all divisions/units of available property.

B. Request for Property

1. Divisions/units will be granted six days to respond to the chief administrator of Contracts and Acquisitions of the desire to receive property.
2. The chief administrator of Contracts and Acquisitions will have ten days to respond to the applicable agency of the intent to receive property.

III. References

Policy Statement P-120100 entitled "Management of State Funds and Assets"

OP-120103 entitled “Acquisitions and Dispositions”

OP-120801 entitled “Asset Management”

Titles 57, 62 and 74 of Oklahoma Statutes

63 O.S. § 2-508.

63 O.S. § 2-508.J.

18 U.S.C. § 981(e)

19 U.S.C. § 1616(a)

21 U.S.C. § 881(e)

IV. Action

The division head is responsible for compliance with this procedure.

The chief Financial Officer is responsible for the annual review and revisions.

Any exceptions to this procedure will require prior written approval from the agency director.

This procedure is effective as indicated.

Replaced: OP-120601 entitled "Disbursement of Federal and State Seizure Funds and Property" dated November 30, 2021

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