

Colorado Commission on Criminal and Juvenile Justice

Opioid Investigations Subcommittee

Minutes

September 12, 2019, 9:00AM-11:30AM

2nd Floor Meeting Room, 710 Kipling, Lakewood, CO

ATTENDEES

TASK FORCE MEMBERS

Bill Kilpatrick, Subcommittee Co-chair, Golden Police Chief
Stan Hilkey, (CCJJ Chair) Acting Subcommittee Co-chair, Executive Director CDPS
Maria Butler, CDPHE
Janet Drake, Attorney General's Office
Jose Esquibel, Colorado Consortium for Prescription Drug Abuse Prevention
Todd Fahlsing, West Metro Drug Task Force
Tom Gorman, Rocky Mountain HIDTA
Peter McNeilly, US Attorney's Office
Ray Padilla, Colorado Drug Investigators Association
Lisa Raville, Harm Reduction Action Center
Cathy Traugott, HCPF
Kirby Lewis, CBI Agent-in-Charge (representing Dan Volz, CBI/AiC)
Scot Williams, Boulder County Sheriff's Office

ABSENT

Matt Lewis, Co-Chair, Mesa County Sheriff
Lindsey Myers, CDPHE
Dan Volz, CBI

STAFF

Damien Angel, Division of Criminal Justice
Kim English, Division of Criminal Justice
Richard Stroker, CCJJ Consultant
Stephane Waisanen, Division of Criminal Justice

GUESTS

Jason Dunn, US Attorney's Office

Issue/Topic	Discussion
Introduction	Stan Hilkey, acting as co-chair for Matt Lewis (absent), welcomed the group, and briefly outlined the agenda for the meeting. Stan and Co-chair Bill Kilpatrick asked Subcommittee members to introduce themselves.
Review of Agenda	
Opening Remarks	<p>Stan invited U.S. Attorney Jason Dunn to provide opening remarks. Mr. Dunn introduced his colleague who would be representing the US Attorney’s Office on the Subcommittee, Mr. Peter McNeilly, and briefly explained the role and efforts of the U.S. Attorney’s Office in addressing the opioid crisis.</p> <p>Stan followed these comments by stating that representation from the U.S. Attorney’s Office was consistent with efforts to create a Subcommittee with diverse points of view.</p> <p>Stan described the legislative mandate (Senate Bill 2019-008, <i>Concerning treatment of individuals with substance abuse disorders who come into contact with the criminal justice system</i>) that underlies the formation of this Subcommittee as well as his desire that the group maintain focus in providing the required deliverables.</p>

Issue/Topic	Discussion
CCJ Task Force 101	<p>Kim English from the Division of Criminal Justice delivered a presentation describing various aspects of the Commission’s background, processes, and the expectations placed upon its participants.</p> <p>A copy of this presentation is available on the Opioid Investigation Subcommittee webpage in “Materials”: colorado.gov/ccjj/ccjj-cOpSubc</p>

Issue/Topic	Discussion
Overview of Current Efforts: Law Enforcement	<p>Stan invited Ray Padilla to speak regarding the ongoing efforts of the Colorado Drug Investigators Association (CDIA). Ray offered the following:</p> <ul style="list-style-type: none"> - The size and structure of the Colorado Drug Investigators Association (CDIA) was outlined as well as specific geographic areas of focus. - Members of the CDIA have expressed that their work is made more difficult by recent legislation that changed Felony Class DF4, drug possession, to a misdemeanor. - Illicit Fentanyl has become more prevalent due to influx of pills from Mexico and the availability to have Fentanyl shipped from China via the “dark web.” - Rural areas are considered to be particularly in need of law enforcement resources - additional training or support could be particularly effective in these areas.

<p>Issue/Topic Overview of Current Efforts: Law Enforcement (continued)</p>	<p>Stan asked Jose Esquibel to speak about current collaborative efforts to address the opioid problem in Colorado. Jose offered the following based on his communications with law enforcement agencies across the state:</p> <ul style="list-style-type: none"> - Law enforcement agencies report being under-funded and under resourced, generally. - Law enforcement agencies lack resources for the coordination of interdiction work, particularly in southeast Colorado. <p>Jose described the work of the Colorado Substance Abuse and Response Task Force. The Substance Abuse and Response Task Force is focused on:</p> <ul style="list-style-type: none"> - Analyzing trends in drug use and other data. - Identifying best practices to address trends found in the drug use data. - Providing assistance to local law enforcement in their responses to relevant drug use issues. - State policy development. - The Heroin Response Working Group, which operates under the Task Force, may be able to lend expertise to the work of this Subcommittee. <p>Jose presented the top recommendation from a 2018 Colorado Law Enforcement Opioid Response Summit sponsored last summer by the Attorney General’s Office. This recommendation identified lack of funding and resources to be the largest barrier for local law enforcement agencies that wish to support regional drug task forces in their area.</p> <p>Stan invited Assistant US Attorney Peter McNeilly to speak on behalf of the US Attorney’s Office regarding their current efforts in this area. Peter provided the following overview:</p> <ul style="list-style-type: none"> - The US Attorney’s Office provides staff, funding, and expertise in the pursuit of those most culpable in the supply and distribution of illicit drugs in Colorado. - The US Attorney’s Office prosecutes cases involving opioid overdose deaths as well as cases that involve those who traffic illicit opioids into the state via smuggling or the “dark web.” - The US Attorney’s Office is investigating the role that medical professionals play in the process of opioid addiction by increasing the supply of illicit opioids available on the market. - The US Attorney’s Office is concerned with the prevalence of opioid and heroin overdose deaths in a number of counties outside of the Denver metro area, including El Paso County, Mesa County, and Pueblo County. - There is concern regarding the inclusion of Fentanyl on the list of drugs that will no longer warrant a felony charge if an individual is in possession of four or fewer grams. He stated that the concern is rooted in the potency of Fentanyl, because he believes that - as a synthetic opioid - four grams of Fentanyl is potent enough to contain hundreds of lethal doses.
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<p>Issue/Topic Overview of Current Efforts: Law Enforcement (continued)</p>	<p>Stan invited Tom Gorman of the Rocky Mountain High Intensity Drug Trafficking Area (RMHIDA) to speak on their ongoing efforts in illicit opioid interdiction. Mr. Gorman opened with a statement of support for the information provided by Mr. Padilla, Mr. Esquibel, and Mr. McNeilly. Mr. Gorman then stated that he believes the most problematic illicit drug in Colorado is methamphetamine, rather than illicit opioids. Mr. Gorman offered:</p> <ul style="list-style-type: none"> - Efforts on behalf of local police to pursue illicit opioid or heroin cases are being hamstrung by an inundation of methamphetamine and black market marijuana cases. - Prior collaborative efforts between law enforcement and public health stakeholders have been successful despite differences in perspectives and practices. He stated that he hoped that this Opioid Investigation Subcommittee would also have the same success. - Understanding the factors that influence the rate of drug use should be prioritized. - The group would benefit from looking at historical efforts to affect drug use as well as current efforts in other parts of the country.
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<p>Issue/Topic Overview of Current Efforts: Public Health & Harm Reduction</p>	<p style="text-align: center;">Discussion</p> <p>Stan invited the Andrés Guerrero to speak regarding opioid intervention efforts being made by the Colorado Dept. of Public Health and Environment (CDPHE). Andres stated the following:</p> <ul style="list-style-type: none"> - CDPHE conducts provider education and re-education campaigns aimed at decreasing misconceptions around prescribing opioids. - CDPHE has received funds from the Centers for Disease Control and Prevention to promote proper utilization of Colorado’s Prescription Drug Monitoring Program (PDMP), and to explore improvements in utilizing overdose data. - The statute does not allow for reporting of PDMP data at the individual healthcare provider level. All data are presented in aggregate form. - The PDMP’s functionality is such that providers are aware of all prescriptions made to each patient and they are aware of their own rates of prescribing compared to their peers. - Information technology solutions are being implemented to integrate the PDMP data into existing workflows of healthcare providers. - PDMP data from other states varies in availability. Roughly 20 other states have made PDMP data available to Colorado’s prescribers. <p>Stan invited Cathy Traugott, the representative from the Colorado Department of Health Care Policy and Financing (HCPF), to speak about their efforts regarding illicit opioid intervention. Cathy offered the following:</p> <ul style="list-style-type: none"> - HCPF does not have access to Colorado’s PDMP data, by statute. HCPF is restricted to working with Medicaid data. - There are limitations on first time opioid prescriptions that restrict the supply to seven days for medical care and 4 days for dental care. - HCPF conducts provider education campaigns to increase awareness of best practices for prescribing opioid painkillers.
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<p>Issue/Topic Overview of Current Efforts: Public Health & Harm Reduction (continued)</p>	<ul style="list-style-type: none"> - HCPF has programming aimed at increasing the use of alternatives to prescription painkillers. <p>Stan invited Lisa Raville, from the Harm Reduction Action Center (HRAC) in Denver, to speak on harm reduction efforts among illicit opioid users. Lisa offered the following:</p> <ul style="list-style-type: none"> - The most prevalent form of heroin in Colorado is predominately Black Tar, and is generally taken intravenously, which causes additional health risks compared to other varieties of heroin. - On average, heroin users inject three to 5 times a day, methamphetamine users inject 1-2 a day, and cocaine users ingest 12-15 times a day. - 9,000 people signed up for services with the HRAC over the past seven years. - Hepatitis C is very prevalent among those who inject drugs and, thus, highly prevalent among heroin users in Colorado. - Roughly half of the individuals seeking services with HRAC are injecting methamphetamine. - HRAC helped pass legislation for proper syringe disposal that is aimed at keeping law enforcement safe from accidental needle sticks. - HRAC provides Fentanyl testing strips that allow drug users to test for Fentanyl in their drug supply. This allows users to avoid accidental overdoses. At the HRAC, 44% of illicit drug users who tested their drugs for Fentanyl prior to use tested positive at least once. - HRAC makes Naloxone available to those seeking their services. - HRAC’s mobile needle exchange program is limited geographically to only Denver. Aurora and Lakewood have started syringe access programs. - HRAC provided Naloxone has been used in over 1,200 overdose reversals in the past seven years.
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<p>Issue/Topic Developing a Strategy of Work for the Subcommittee</p> <p>ACTION Tom Gorman and Jose Esquibel will prepare updates for the 10/10/19 meeting.</p>	<p style="text-align: center;">Discussion</p> <p>Stan invited Richard Stroker, Commission consultant, to lead the group in the development of a work strategy for moving forward. The following points were expressed by the Subcommittee during this process:</p> <ul style="list-style-type: none"> - Recommendations for best practices need to be formulated by March 2020 in order to effectively align with the Commission’s processes and the deadline in S.B.19-008. - The Subcommittee agreed to obtain information on other groups and task forces working on illicit drug intervention, as well as any recommendations identified by these groups. Jose agreed to take lead on obtaining this information for the group’s next meeting. - Tom agreed to gather information on existing drug task forces operating in Colorado and report that information back to the subcommittee at its October meeting.
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<p>Issue/Topic Developing a Strategy of Work for the Subcommittee (continued)</p>	<ul style="list-style-type: none"> - Jose mentioned efforts being made to implement a state data system that may aid in identifying points of interdiction, creating better linkages among various data sources. This data system may take shape by December and the group could revisit its potential at that time. - The Subcommittee agreed that it is crucial to assess the amount of resources (funding, staff, etc.) required to establish additional opioid interdiction tasks forces and to prosecute cases that result from their efforts. - Illicit opioid abuse prevention and interventions targeting youth were listed as a topics of concern moving forward. These approaches are believed to have potential for greater impact on illicit drug intervention in the long run. However, these topics are outside of the Subcommittee’s scope of work
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<p>Issue/Topic:</p> <p>Next Steps and Adjourn</p> <p>ACTION</p>	<p>Discussion:</p> <p>The Subcommittee agreed that the next meeting should be a review of the information being gathered by Tom Gorman and Jose Esquibel (mentioned above).</p> <p>With no further comments, co-chair Bill Kilpatrick adjourned the meeting.</p>
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NEXT MEETING
 October 10, 2019, 9:00-11:30am
 2nd Floor Meeting Room
 Colorado Department of Public Safety, 700 Kipling, Lakewood, CO 80215