

Colorado Commission on Criminal and Juvenile Justice

Opioid Investigations Subcommittee

Minutes

October 10, 2019 9:00AM-11:30AM

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

ATTENDEES:

TASK FORCE MEMBERS

Matt Lewis, Co-chair, Mesa County Sheriff
Todd Fahlsing, West Metro Drug Task Force
Chelsey Clarke, Rocky Mountain High Intensity Drug Trafficking Area Program (RMHIDTA), for Tom Gorman
Peter McNeilly, U.S. Attorney's Office
Ray Padilla, Colorado Drug Investigators Association
Jeffrey Taylor, Drug Utilization Review Board Pharmacist, CO Dept. of Health Care Policy and Financing
Dan Volz, Colorado Bureau of Investigation
Scot Williams, Boulder County Sheriff's Office

ABSENT

Maria Butler, Colorado Dept. of Public Health and Environment (CDPHE)
Janet Drake, Attorney General's Office
Jose Esquibel, Colorado Consortium for Prescription Drug Abuse Prevention
Bill Kilpatrick, Co-chair, Golden Police Chief
Lindsey Myers, CDPHE
Lisa Raville, Harm Reduction Action Center

STAFF

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

Issue/Topic	Discussion
<p>*Note</p> <p>Opening Remarks & Introduction</p> <p>Review of Agenda</p>	<p>*Note: It snowed in the greater Denver area on the morning of this meeting.</p> <ul style="list-style-type: none"> - Attendance was impacted by inclement weather. - Scot Williams and Ray Padilla joined the meeting via conference call. - The meeting was called to order by Matt Lewis at approximately 9:20am after allowing additional time for travel. <p>Matt Lewis began the meeting with those that were in attendance as the group was unsure when or if additional members of the Subcommittee would arrive due to the weather.</p> <p>The group provided brief introductions.</p> <p>Matt revised the meeting agenda in light of the weather. A general discussion would be held and the scheduled presenters would speak as they arrived.</p>

Issue/Topic	Discussion
<p>Discussion of Literature (PERF article)</p>	<p>Matt drew the Subcommittee’s attention to an article by the Police Executive Research Forum (PERF) that had been distributed at the prior meeting.</p> <ul style="list-style-type: none"> - Matt found the extent to which the article focuses on connection to treatment for drug users, rather than enforcement, to be interesting. From Matt’s experience, law enforcement has been focused on mental health treatment but not treatment for drug use. - Peter remarked that the article points out that not all states have felt the full impact of the opioid epidemic and that he believes this is the case for Colorado. Peter believes that Colorado may serve as a waypoint for bulk opioids movements at this point in time – as opposed to high levels of street level use. - Matt agreed and stated that he believes Colorado is not yet at the point of crisis regarding opioids, but that gives this Subcommittee the opportunity to act in ways that are preventative. - Matt, Ray, and Peter all mentioned that Colorado’s overdose problem is largely caused by methamphetamine rather than opioids.

Issue/Topic	Discussion
<p>Strategy Moving Forward</p>	<p>Matt moved the group into a discussion regarding strategies for moving forward with the work of the Subcommittee and invited Richard Stroker to lead that discussion.</p> <ul style="list-style-type: none"> - Richard began by outlining the timeline that the Subcommittee has to follow to produce recommendations (approximately six months).

<p>Issue/Topic Strategy Moving Forward (continued)</p>	<ul style="list-style-type: none"> - In light of the breadth of the opioid investigations topic, Richard revisited the language of the legislative mandate (Senate Bill 19-008) to ensure that the scope of the work was well defined. - Richard proposed that the group spend some time operationalizing their definitions for terms used in the legislative mandate. - Richard asked if the group might outline their data needs. <ul style="list-style-type: none"> o Matt stated that access to data that quickly describes / tracks the opioid issues in Colorado would be very important. Additionally, Colorado needs the ability to track the outcome of opioid intervention strategies in order to identify what works. o Peter stated that the data receiving the most focus are fatal and non-fatal opioid overdoses, but the impact of opioid use extends beyond the individual and into the community (crime, addiction, etc.). o Matt concurred that there are gaps in the law enforcement data that additional agencies and professions - like healthcare providers - could help fill. o Todd added that, even across existing law enforcement data, there are inconsistencies that result from a lack of reporting uniformity. - Richard stated that it could be beneficial to gather information on existing efforts in the realm of opioid investigation, particularly from states that resemble Colorado.
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Issue/Topic	Discussion
<p>Operationalizing Definitions</p>	<p>Richard suggested that the group take some time to define the terminology used in S.B. 19-008.</p> <ul style="list-style-type: none"> - Richard asked the group to define the phrase “investigating unlawful opioid distribution.” <ul style="list-style-type: none"> o Peter suggested that – regarding the phrase “investigating unlawful opioid distribution” – there are unique groups in the illicit drug market that are good targets for opioid investigations. Those groups are defined as traditional crime organizations (gangs, cartels, etc.), prescribing professionals, diverters of legally manufactured opioids, and dark-net suppliers of illicit opioids. <ul style="list-style-type: none"> ▪ The role of dark-net suppliers of opioids was discussed at length due to the particularly large role they play in the illicit opioid supply chain, and how difficult it is to intervene. o Matt stated that identifying these different target groups is useful as they reflect the idea that there is not a one-size-fits-all approach to investigating illicit drugs. o The group expressed consensus around their understanding of the phrase “investigating unlawful opioid distribution” and agreed to move forward.

<p>Issue/Topic Operationalizing Definitions (continued)</p>	<ul style="list-style-type: none"> ▪ Jeffrey added that there are already a lot of efforts in the healthcare space to reduce over-prescribing and that these data are available for the Subcommittee. ▪ Scot suggested that the group also focus on who will be doing these investigations as they begin considering the groups that will be investigated. <p>- Richard suggested that the group define the term “black market investigatory entities.”</p> <ul style="list-style-type: none"> ○ Dan suggested that the term was meant to focus on markets that are outside the regulated opioid industry. ○ Matt noted that this mandate uses wording that closely resembles the language used in a prior mandate that created Colorado’s black market marijuana task forces. He further stated that if the group recommends that new investigatory units be created, that they may be structured like the black market marijuana task forces.
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Issue/Topic	Discussion
<p>Data Needs</p>	<p>Richard shifted the groups focus to the data needs of the Subcommittee.</p> <ul style="list-style-type: none"> - Dan suggested that reporting be considered as a potential area for improving the quality of law enforcement data in Colorado. - Kim stated that data from law enforcement (such as the National Incident Based Reporting System, NIBRS) is not directly linked to the investigation side of the law enforcement system. <ul style="list-style-type: none"> ○ Richard suggested that it may be fruitful to look at what data are being collected by law enforcement and under what circumstances. - Chelsey informed the group that Rocky Mountain High Intensity Drug Trafficking Area program (RMHIDTA; rmhidta.org/) has a lot of data available regarding the task forces they fund, but it is the property of those task forces. Chelsey also stated that while they may have data available on opioid intervention efforts, that there would likely be gaps in data. For example, if a seized drug is identified as heroin they do not test further to see if that drug is laced with additional substances. - Chelsey suggested looking at the RMHIDTA Annual Threat Assessment Report for a clearer picture of the types of data that they access. - Peter stated that it is important that the best practices the group formulates be as real-time as possible, rather than being dependent on data that is months old at any given point. <ul style="list-style-type: none"> ○ Chelsey stated that one tool that RMHIDTA has identified as a potential help in this area is, odmap.org/. Chelsey outlined the history of odmap.org/ and that the largest challenge to the tool’s efficacy in Colorado is increasing capacity for utilization by local law enforcement.

Issue/Topic	Presentation Followed by Discussion
<p>Chelsey Clarke: Current Task Forces Active in CO</p> <p>ACTION(S) Peter – Eastern Iowa Heroin Initiative Chelsey – odmap.org</p>	<p>Richard invited Chelsey to present on behalf of Tom Gorman and RMHIDTA.</p> <p>Chelsey stated that despite the existence of task forces that are solely focused on drugs, currently none are tasked solely with opioid interventions.</p> <p>Chelsey presented a document provided by Tom Gorman that listed resources provided by HIDTA directors from across the nation. These resources were provided as part of a HIDTA survey that inquired about known, successful, law enforcement initiatives or task forces working in opioid intervention.</p> <p>DISCUSSION Peter offered the suggestion that the group contact the DEA’s Tactical Diversion Squad as they are focused on interventions to manufactured opioid diversion.</p> <p>Chelsey suggested that the group contact the USPIS (United States Postal Inspection Service) given their dark-net working group is looking for space to operate as they expand into a 10 to 12-person task force.</p> <p>Chelsey offered to distill the resource list into those that were are seen as particularly successful should the group agree that it is necessary.</p> <p>Peter mentioned the inclusion of the Eastern Iowa Heroin Initiative on the list of resources provided by Chelsey, Tom, and RMHIDTA. Because he is in contact with them, Peter offered to solicit information on their opioid-specific initiatives and provide that to staff.</p> <p>Chelsey offered to provide a short report on odmaps.org for distribution to the group.</p> <p>Matt, on the subject of increasing odmap.org utilization, mentioned that HIDTA may be able to enforce a mandate for use among its task force members. Chelsey confirmed that this was the case but elaborated that the mandate would only be effective for members of the task forces, not the entirety of their home departments.</p> <p>Todd provided some additional perspective on the data provided by HIDTA regarding the membership numbers for drug task forces working in the state. Using his department as an example, the number of individuals who actively work cases is less than half of those listed, given that the number includes commanders and support staff.</p> <p>Richard stated that it would certainly fall within the group’s mandate to evaluate the additional resources necessary to effectively implement the Subcommittee’s eventual recommendations.</p>

<p>Issue/Topic Current Task Forces Active in CO (continued)</p>	<p>Peter, Todd, and Scot commented briefly on the challenges that arise when assigning the agency that holds primary responsibility for opioid overdose investigations. Logistics between units and leadership buy-in were mentioned as potential barriers.</p>
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<p>Issue/Topic: Next Steps</p> <p>ACTION: Members will solicit presentations for the next meeting</p>	<p>Discussion:</p> <p>Matt suggested that the group identify sources and entities to contact for more perspectives and information on conducting investigations in each of the black market opioid supply groups that they identified earlier (traditional crime orgs, diverters of manufactured opioids & prescribing professionals, and dark-net suppliers). Matt wanted to be sure that the group focused on how to translate the work of these various organizations to the needs of Colorado.</p> <p>Richard and Matt identified volunteers from the group that would solicit presentations from each of the target organizations:</p> <ul style="list-style-type: none"> - Traditional Crime Orgs: <ul style="list-style-type: none"> o Scot, Ray, Todd: Local Drug Task Forces - Dark-Net: <ul style="list-style-type: none"> o Peter: HSI & USPIS - Diverters of Manufactured Opioids: <ul style="list-style-type: none"> o Jeffrey: Process overview of referring diversion cases to the DEA (Medicaid prospective). o Peter: Tactical Diversion Section (DEA) - Miscellaneous: <ul style="list-style-type: none"> o Peter, Kim: Eastern Iowa Heroin Initiative
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<p>Issue/Topic: Review and Adjourn</p>	<p>Discussion:</p> <p>After discussing the timelines and the November meeting, and with no additional comments or questions, Matt thanked the group and adjourned the meeting.</p>
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NEXT MEETING

LOCATION CHANGE!

November 7, 2019, 9:00-11:30am

4th Floor Training Room

700 Kipling St. Lakewood

(Front desk check-in is required)