

***Colorado Commission on Criminal and Juvenile Justice***

**Opioid Investigations Subcommittee**

**Minutes**

November 07, 2019 / 9:00AM-11:30AM

4<sup>th</sup> Floor Training Room, 700 Kipling, Lakewood, CO

**ATTENDEES:**

**TASK FORCE MEMBERS**

Bill Kilpatrick, Co-chair, Golden Police Chief

Matt Lewis, Co-chair, Mesa County Sheriff

Maria Butler, Epidemiologist, CO Dept. of Public Health & Environment (CDPHE)

Chelsey Clarke, Rocky Mountain High Intensity Drug Trafficking Area Program (RMHIDTA) (for Tom Gorman)

Jose Esquibel, Colorado Consortium for Prescription Drug Abuse Prevention

Todd Fahlsing, West Metro Drug Task Force

Brad Giles, Chief of Narcotics, US Attorney's Office (for 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, Assistant Director of Investigations, CO Bureau of Investigation

**ABSENT**

Lindsey Myers, CDPHE

Lisa Raville, Harm Reduction Action Center

Scot Williams, Boulder County Sheriff's Office

**STAFF**

Damien Angel, Division of Criminal Justice

Kim English, Division of Criminal Justice

Richard Stroker, CCJJ Consultant

Stephane Waisanen, Division of Criminal Justice

**GUESTS**

Derek Backus, United States Postal Inspection Service

Matt Green, Special Agent, Homeland Security Investigations (HSI), U.S. Immigration and Customs Enforcement

Mark McClarie, DEA Tactical Diversion Squad

Aaron McWhirter, Special Agent, HSI

David Pope, Special Agent, HSI

Issue/Topic	Discussion
<b>Introductions &amp; Approval of Minutes</b>	<p>The group provided brief introductions. Matt Lewis moved to approve the minutes, Ray Padilla seconded the motion, and with no objections the minutes were approved.</p>
<b>Review of Agenda</b>	<p>Matt briefly recapped the last meeting then reviewed the agenda for the day's meeting and noted the ambitious number of presentations to be heard today.</p>

Issue/Topic	Discussion
<b>Informational Presentations</b>	
<b>East Iowa Heroin Initiative</b> Kim English	<p>Kim English provided an update on an action item from the previous meeting. She reported that the Eastern Iowa Heroin Initiative is developing educational materials for guiding law enforcement in preserving evidence at drug overdose scenes. The Cedar Rapids Police Department also provided Kim with their crime scene checklist, which they provide to officers who do not regularly investigate opioid overdoses.</p>
<b>Denver Digital Currency and DarkNet Crimes Workgroup</b> Aaron McWhirter, David Pope, & Matt Green	<p>Aaron McWhirter, David Pope, and Matt Green from Homeland Security Investigations presented on the Denver Digital Currency and DarkNet Crimes Workgroup (Available under "Materials" at, <a href="http://colorado.gov/ccjj/ccjj-cOpSubc">colorado.gov/ccjj/ccjj-cOpSubc</a>).</p> <p>Following the presentation, the group discussed the potential for increased partnerships at the state and local level. Expertise and staffing requirements (including training and strong technology skills) were identified as major challenges to optimal outcomes in darknet and digital currency crime investigations.</p>
<b>Heroin / Opiate Investigations</b> Ray Padilla, Todd Fahlsing	<p>Todd Fahlsing and Ray Padilla presented information on opiate and heroin investigations. The presentation covered illegal drug investigations generally, but it also highlighted strategies and challenges that were specific to the interdiction of heroin and illicit opioids (Available under "Materials" at, <a href="http://colorado.gov/ccjj/ccjj-cOpSubc">colorado.gov/ccjj/ccjj-cOpSubc</a>).</p>
<b>Presentation Themes Summary-Best Practices and Collaboration</b> Richard Stroker	<p>Following the presentation, the group discussed their recent experiences and observed trends in illicit drug intervention. Again, the group turned to a discussion of how additional cooperative efforts between task forces and law enforcement agencies could be beneficial as well as what that cooperation would look like in an ideal world.</p> <p>Richard Stroker distilled two major themes that emerged from the presentations and discussions thus far – collaborative efforts, and best practices. Richard asked the group if they were aware of best practices in the realm of opioid investigation and collaboration.</p> <p>The importance of law enforcement collaboration in drug interdiction was reaffirmed by the group, but the importance of best practices in ensuring the</p>

<p><b>Issue/Topic</b> <b>Informational Presentations</b> (continued)</p>	<p>integrity of a crime scene was also discussed. The group agreed that it is crucial that best practices exist around working illicit drug and overdose scenes, but the inherently complex nature of these cases can still inhibit an optimal outcome – particularly when it comes to toxicology. The group discussed the intense resources required in these investigations and agreed that it is best practice to identify cases that will be most fruitful and concentrate resources there.</p>
<p><b>Diversion and CO Medicaid Referrals to DEA</b> Jeffrey Taylor</p>	<p>Jeffrey Taylor gave a brief presentation to the group regarding the diversion of legally manufactured opioids into black markets as well as the referral process that HCPF (CO Department of Health Care, Policy and Finance) uses to report to the Attorney General’s Office. Jeffrey stated that efforts by HCPF to reduce opioid diversion have been focused on reducing the amount of over-prescribing among practitioners. Top prescribers and pharmacies (# of prescriptions) in the state are monitored as well. The Office of Program Integrity at HCPF works with the Attorney General’s Office to elevate fraudulent activity to the DEA if needed. Jeffrey stated that their efforts to reduce the prescribing of opioids has led to a 50% reduction among Colorado Medicaid recipients.</p> <p>Jeffrey stated that the two main points of diversion for legally manufactured opioids are the prescriber and the pharmacy. He stated that prescribers who are still intentionally over-prescribing are typically doing so in cash-pay markets, rather than the Medicaid system. Colorado’s PDMP (Prescription Drug Monitoring Program) captures prescriptions made in cash-pay markets and HCPF doesn’t currently have access to that data. Jeffrey stated that their efforts to reduce overdose deaths moving forward will target the reduction of prescription drugs commonly found to be used in combination among those who overdose – benzodiazepines and opioids, for example.</p> <p>Following Jeffrey’s presentation, Jose Esquibel presented a heat map wherein the highest opioid prescriptions per capita could be easily identified by color.</p>
<p><b>DEA Tactical Diversion Squad</b> Mark McClarie</p>	<p>Mark McClarie gave a brief presentation to the group regarding the DEA Tactical Diversion Squad’s scope of work and their ongoing efforts. Mark stated that while they are focused on interventions around opioid diversion, the DEA Tactical Diversion Squad also works cases in the realm of darknet drug supply, and international cases. Mark detailed the resources that the DEA Tactical Diversion Squad can provide to state and local law enforcement in support of cases that align with their mission.</p> <p>Mark commented on the changing landscape of opioid of diversion and the illicit drug market, agreeing with points made by Jeffrey and Aaron during their presentations. Mark stated that their goal is to conduct and support illicit drug interdictions from many directions. This tactic includes the work of the organizations represented by the other group members, and Mark mentioned that providing support to those organizations may be an option – especially in the realm of training.</p>

<p><b>Issue/Topic</b></p> <p><b>Informational Presentations</b> (continued)</p> <p>General Discussion</p>	<p>Bill Kilpatrick brought up the topic of deconfliction between agencies who are trying to coordinate efforts. The group discussed the various strategies and best practices they use to ensure effective working relationships. Ray offered that, in Colorado, many law enforcement agencies rely on the DEA's federal program RiskNet®, as well as EPIC (El Paso Intelligence Center), to ensure proper coordination of efforts.</p> <p>The group discussed that there may be a stronger need for education around accessing existing resources/expertise rather than deconfliction. Matt mentioned the example of isolated, rural law enforcement agencies that aren't currently plugged into statewide resource centers like task forces or in proximity to federal offices of investigation. One group member spoke to the success they had seen with regularly scheduled, inter-agency meetings wherein members briefly presented cases or crime trends that they could use additional resources in working.</p> <p>Bill stated his concern with the ability to adequately support rural law enforcement agencies who have larger gaps in resources than urban agencies and task forces. The group agreed that increased training support in rural law enforcement would be beneficial; however, there would need to be additional resources attached to that training to provide continued support. Jose offered that funds awarded in upcoming pharmaceutical settlements could be earmarked to support law enforcement efforts of this nature.</p>
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<p><b>Issue/Topic</b></p> <p>Review and Adjourn</p>	<p><b>Discussion</b></p> <p>Matt brought the discussion to a close and briefly review the group's timeline for crafting recommendations to the Commission. He thanked the guest presenters for their time and information and then adjourned the meeting.</p>
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**Next Meetings:**

Thursday, December 12<sup>th</sup>, 9:00am-11:30am  
2<sup>nd</sup> Floor Meeting Room, 710 Kipling St. Lakewood CO  
(unless noted otherwise)

January 9, 2020

February 13, 2020

March 12, 2020

April 9, 2020

May 7, 2020 (**Location: 700 Kipling, 4<sup>th</sup> Floor Training Room**)

June 6, 2020 [if necessary]