

2019 Criminal Justice Stakeholder Input

Opioid & Other Substance Use Disorders Study Committee

Stakeholders from healthcare, local government, public health, criminal justice, professional associations, and private citizens had the opportunity to submit feedback via paper or electronic form. 232 individuals or agencies submitted 241 stakeholder input forms. In total, 374 policy recommendations were received as each submission could include more than one policy recommendation.

Results are compiled and summarized below related to Criminal Justice. Please see the binder folder or electronic file of all submissions.

Jail-Based Treatment

- Reimburse counties to provide Medicated Assisted Treatment (MAT) during work release programs
- Expand Jail Based Behavioral Health Services (JBBS) to include funding for pre-trial access to services
- Implement substance use assessments in jail closer upon entry to identify more inmates that may benefit from treatment
- Revise SB19-008, Section 7 to require prisons, jails and county detention facilities to provide (or have a protocol on) all FDA-approved medications (buprenorphine, methadone and naltrexone) for people with an opioid use disorder throughout the duration of their incarceration
- Require provision of all FDA-approved medications for post-incarceration linkage to care and drug courts

Judicial Programs and Education

- Require probation and parole officers to complete training to become familiar with the evidence-based options available for substance use disorder (SUD) treatment and clear guidance on role of probation and parole versus the role of clinicians
- Require mandatory education for youth substance use offenders in the judicial system
- Develop programs to implement trauma and culturally-informed programs for offenders to reduce recidivism
- Provide additional support for judicial and law enforcement programs, including criminal justice and child welfare systems

Diversion / Overdose Response Programs

- Review national diversion efforts and overdose programs to determine what to replicate in Colorado. Specifically, consider creating or expanding the following program models:
 - Law Enforcement Assisted Diversion (LEAD) pilot sites: continue funding that began 4/1/2018 and is currently scheduled to end 6/30/2020 (Marijuana Tax Cash Fund)
 - Safe Stations: link individuals to treatment via local fire departments
 - Police Assisted Addiction and Recovery Initiative (PAARI): link individuals to treatment via local law enforcement agencies
 - Post-overdose follow-up programs: engage law enforcement, harm reduction, EMS, and/or peers to conduct a follow-up visit with an overdose victim or family within 24-72 hours after naloxone reversal
- Require law enforcement agencies to actively engage in alternative to arrest or diversion programs

Housing

- Increase supportive housing targeting chronically homeless individuals with mental health or substance use challenges (e.g., Social Impact Bond (SIB) housing)
- Abolish local urban camping bans
- Address concerns around police interactions and response to calls for trespassing charges

Sentencing Reform

- Allow parole violators returning to jail to count voluntary treatment towards good-time in sentencing
- Decriminalize possession of all drugs provided that amount does not exceed personal use
- Decriminalize possession of all opioids provided that amount does not exceed personal use
- Expunge or release all marijuana-related drug charges
- Review international approaches from countries that have decriminalized substance use disorders (e.g., Canada, Portugal) to support formerly incarcerated persons
- Disallow incarceration for positive urine analysis during probation or parole unless there is some other violation of supervision conditions

Other

- Address supply of opioids both from legal sources (e.g., prescribers) as well as illegal sources (on the internet or street)
- De-prioritize non-violent drug law enforcement
- Encourage Study Committee members to talk directly with data analysts to understand nuances of the opioid crisis

Federal

- Advocate at the federal level for jail inmates on work release to be able to use Medicaid to access Medication Assisted Treatment (MAT)
- Ban Kratom at the federal level