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# COLORADO'S FENTANYL PROBLEM AND THE ECONOMIC COSTS

**AUTHORS:** DR. STEVEN BYERS, MITCH MORRISSEY & JOHN KELLNER

## ABOUT THE AUTHORS



### **Mitch Morrissey – CSI Owens-Early Criminal Justice Fellow**

Mitch Morrissey was the elected District Attorney for the 2nd Judicial District (JD), from 2005 to 2017. Prior to 2005, Mitch was a trial lawyer in the Denver District Attorney's office beginning in 1983. Mitch is internationally recognized for his expertise in DNA technology, applying that technology in criminal prosecutions, and working to ensure that DNA science is admissible in court. He has trained law enforcement officers and prosecutors throughout the United States, in the Middle East, in Central America, and Canada. A veteran prosecutor, Mitch introduced the first DNA evidence used in a criminal trial in Denver. The DNA Resource Section at the Denver DA's website became a resource for people interested in forensic DNA throughout the world.

Mitch spearheaded the Denver Cold Case Project, which reviewed over 4,200 unsolved sexual assaults and murders using DNA technologies to solve old cases. In addition, Mitch and the Denver Police Crime Lab introduced the use of DNA to solve burglary cases and other property crimes. During his tenure as Denver District Attorney, Mitch became the leading proponent in the United States of using Familial DNA Database Searches to solve violent crime.

After leaving the Denver D.A.'s office in 2017, Mitch co-founded United Data Connect, which has become a leader in solving cold case murders and rapes using investigative genetic genealogy. Through a unique partnership with law enforcement agencies across the county, United Data Connect has solved cold case murders and rapes and has identified the remains of unidentified individuals. United Data Connect has also become a leader in training genealogists to conduct investigative genetic genealogy efficiently and effectively.



### **John Kellner – CSI Owens-Early Criminal Justice Fellow**

John Kellner most recently served as the elected District Attorney for Arapahoe, Douglas, Elbert and Lincoln counties, where he was responsible for seeking justice for over 1.1 million Coloradans. As a highly accomplished lawyer with unique trial experience and elite trial skills, he prosecuted several of Colorado's toughest and most prominent cold cases. Throughout his nearly two-decade career in criminal justice, John was recognized as the top prosecutor in the state by the Colorado District Attorney's Council and by Mothers Against Drunk Drivers.

John is the Managing Partner at the Dan Caplis Law firm and a Lieutenant Colonel in the United States Marine Corps Reserve.



### **Steven L. Byers, Ph.D. – CSI Senior Economist**

Steven Byers is Common Sense Institute's Senior Economist and has been with CSI since 2022. Steven is responsible for conducting research on issues important to the Colorado economy.

Prior to joining CSI, Steven spent three years working for the Coalition for a Prosperous America, a nonprofit organization consisting of manufacturing, agricultural, labor, consumer, and citizen interest groups, where he conducted research on the U.S. economy, international trade, and tariffs. Highlights of this research include a paper titled, "Decoupling from China – An Economic Analysis of the Impact on the U.S. Economy of a Permanent Tariff on Chinese Imports" for which he and a co-author won the National Association for Business Economics Edmund A. Mennis Contributed Paper Award.

Steven's experience as an economist spans twenty-three years, including work at federal regulatory agencies (SEC, CFTC, PCAOB) and quantitative economic analysis supporting international trade litigation cases brought before the U.S. International Trade Commission. His Ph.D. dissertation topic was based on a computable general equilibrium model (CGE) he developed to evaluate the economic impact of regional tax incentives in a small city (Fort Collins, CO).

## ABOUT COMMON SENSE INSTITUTE

**Common Sense Institute** is a non-partisan research organization dedicated to the protection and promotion of Colorado's economy. CSI is at the forefront of important discussions concerning the future of free enterprise and aims to have an impact on the issues that matter most to Coloradans. CSI's mission is to examine the fiscal impacts of policies, initiatives, and proposed laws so that Coloradans are educated and informed on issues impacting their lives. CSI employs rigorous research techniques and dynamic modeling to evaluate the potential impact of these measures on the economy and individual opportunity.

## TEAMS & FELLOWS STATEMENT

CSI is committed to independent, in-depth research that examines the impacts of policies, initiatives, and proposed laws so that Coloradans are educated and informed on issues impacting their lives. CSI's commitment to institutional independence is rooted in the individual independence of our researchers, economists, and fellows. At the core of CSI's mission is a belief in the power of the free enterprise system. Our work explores ideas that protect and promote jobs and the economy, and the CSI team and fellows take part in this pursuit with academic freedom. Our team's work is informed by data-driven research and evidence. The views and opinions of fellows do not reflect the institutional views of CSI. CSI operates independently of any political party and does not take positions.

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# INTRODUCTION

The last year has brought some relief to Colorado's fentanyl overdose problem, but some measures may still be needed to erase the drug's explosive fatality growth in the last decade.

Colorado state legislators implemented stricter penalties for fentanyl possession and distribution in 2022, though those reforms have been criticized by law enforcement as not going far enough. Since the legislation's passage, fentanyl deaths have been declining.

There is evidence that similar measures in other U.S. states are producing similar results. In the Common Sense Institute's drug overdose competitiveness index, Colorado's ranking decreased through the early 2020s and remained at 2023 levels in 2024. This suggests Colorado's declining drug overdose rates are falling less than in other states. Local drug seizure figures have declined since 2022. At the federal level, policy changes correlate to declining overdose rates as well. The southwestern border has seen fentanyl seizures fall since the fall of 2024.

Officials should take note that fentanyl overdose rates have moved in the right direction following policy implementation. As fentanyl overdoses remain highly elevated, leaders should consider whether additional policies could press the overdose rate down even further.

## KEY FINDINGS

- **Though 2024 overdose rates and their associated economic impacts are trending downward, they are still highly elevated compared to any point before 2020.** This mirrors the development of Colorado's crime rate generally, which has recently improved from 2022 but remains far above the norm set in the previous decade.
- **Fentanyl-related overdose deaths have declined since the passage of HB22-1326, the Fentanyl Accountability and Prevention Act.** The legislation was a response to rising fentanyl overdose deaths in the state. The bill increases penalties for possessing or distributing fentanyl and it funds drug treatment and education programs.
- **Colorado's Drug Overdose Competitive Index is still higher (30th) than it has been since 2015.** This is due to increased drug overdose per capita in Colorado and improvements in other states.
- **Customs and Border Patrol Seizures of Fentanyl are down at the southwestern border.** Fiscal year seizures were down 21% in 2024 and are down 29% halfway through fiscal year 2025.
- **As of December 2024, the DEA's Rocky Mountain Field Division seized 2.7 million fentanyl pills, 3.5% more than in all of 2023.**
- **The total cost of fentanyl-related overdose deaths in Colorado is on par with 2022 at \$13.1B in 2024 – approximately \$2,220 per Coloradan.**
- **In 2023, 75% of fentanyl-related overdose deaths are male.**
- **In 2023, 73.8% of fentanyl-related overdose deaths are between the ages of 25 and 54 years old.**
- Policymakers should consider recommendations in a Blueprint to Addressing Fentanyl included in this report, such as:
  - Reverting to the effective drug laws that imposed stronger criminal penalties for the possession **of any amount** of drugs like methamphetamine, cocaine, and heroin. While the state made some strides in strengthening fentanyl possession laws with the passage of HB22-1326, the law fails to address other hard drugs that often contribute to overdoses.
  - Being proactive in anticipating whatever drug will eventually replace fentanyl.
  - Adopting a robust public health strategy with rigorous tracking criteria aimed at reducing fentanyl-related overdoses.

## WHAT IS FENTANYL?

According to the Centers for Disease Control and Prevention (CDC), “Fentanyl is a synthetic opioid that is up to fifty times stronger than heroin and one hundred times stronger than morphine.” It is a major contributor to fatal and nonfatal overdoses in the U.S.

There are two types of fentanyl: **pharmaceutical fentanyl** and **illegally made fentanyl**. Both are considered synthetic opioids. Pharmaceutical fentanyl is prescribed by doctors to treat severe pain, especially after surgery and for advanced-stage cancer.

However, most recent cases of fentanyl-related overdose are linked to illegally made fentanyl, which is distributed through illegal drug markets for its heroin-like effect. It is often added to other drugs because of its extreme potency, which makes drugs cheaper, more powerful, more addictive, and more dangerous.

Illegally made fentanyl (IMF) is available on the drug market in different forms, including liquid and powder. Powdered fentanyl looks just like many other drugs. It is commonly mixed with drugs like heroin, cocaine, and

methamphetamine and made into pills that are made to resemble other prescription opioids. Fentanyl-laced drugs are extremely dangerous, and many people may be unaware that their drugs are laced with fentanyl. In its liquid form, IMF can be found in nasal sprays, eye drops, and dropped onto paper or small candies.

Fentanyl and other synthetic opioids are the most common drugs involved in overdose deaths. Even in small doses, it can be deadly.

**Over 150 people die every day [nationally] from overdoses related to synthetic opioids like fentanyl.**

Drugs may contain deadly levels of fentanyl, undetectable to sight, taste, or smell. It is impossible to tell if drugs have been laced with fentanyl unless tested. Test strips are inexpensive and typically give results within 5 minutes, which can be the difference between life or death. Even if the test is negative, test strips might not detect more potent fentanyl-like drugs, like carfentanyl.



# FENTANYL OVERDOSE DEATHS IN COLORADO

According to the latest data from the Colorado Department of Public Health and Environment there were 222 fentanyl-related deaths in 2019, 540 in 2020, 912 in 2021, 920 in 2022 and 1,097 in 2023.<sup>i</sup>

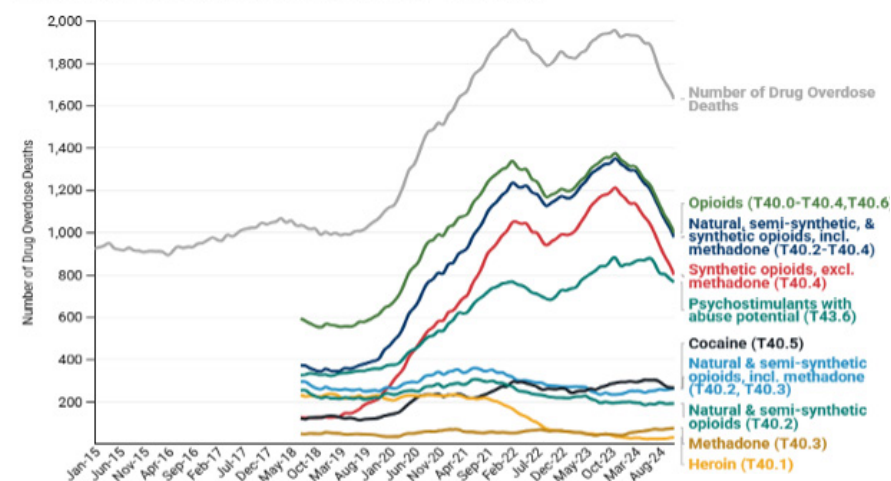
Based on data from the CDC, **Figures 1 and 2** show the change in drug overdose deaths from January 2015 through November 2024, and overdose deaths by drug type from July 2018 through November 2024.

CDC Drug Classifications are defined as follows:

- T40.0 – Opium.
- T40.1 – Heroin.
- T40.2 – Other opioids (semi-synthetic).
- T40.3 – Methadone.
- T40.4 – Other synthetic narcotics (fentanyl and fentanyl analogues are classified under T40.4). T40.4 also includes other synthetic opioids such as Tramadol and Demerol).
- T40.6 – Other and unspecified narcotics.

**FIGURE 1 - PROVISIONAL DRUG OVERDOSE DEATHS BY DRUG OR DRUG TYPE - COLORADO**

12-Month-Ending Provisional Number of Drug Overdose Deaths by Drug or Drug Class Through November 2024- Colorado



Centers for Disease Control and Prevention

The total number of drug overdose deaths decreased 15.7% from 1,935 in November 2023, to 1,631 in November 2024. Deaths from Fentanyl (T40.4 - Synthetic Opioids, Excluding Methadone) declined 32.4% from 1,184 in December 2023 to 801 through November 2024.

**FIGURE 2 - PROVISIONAL DRUG OVERDOSE DEATHS BY DRUG OR DRUG TYPE CHANGE, 2018-2024 - COLORADO**

12-Month-ending Provisional Number of Drug Overdose Deaths by Drug or Drug Class - Colorado								
	Dec 2018	Dec 2019	Dec 2020	Dec 2021	Dec 2022	Dec 2023	Nov 2024	% Change 2023-2024
Synthetic opioids, excl. methadone (T40.4)	130	251	586	987	992	1,184	801	-32.4%
Heroin (T40.1)	234	218	228	190	64	35	33	-5.7%
Natural & semi-synthetic opioids (T40.2)	224	238	270	290	221	199	193	-3.0%
Number of Drug Overdose Deaths	1,004	1,100	1,512	1,917	1,856	1,935	1,631	-15.7%
Cocaine (T40.5)	133	135	225	274	264	295	268	-9.2%
Methadone (T40.3)	57	37	66	57	64	43	77	79.1%
Natural & semi-synthetic opioids, incl. methadone (T40.2, T40.3)	271	265	330	339	274	238	263	10.5%
Opioids (T40.0-T40.4, T40.6)	568	644	987	1,300	1,207	1,331	1,000	-24.9%
Natural, semi-synthetic, & synthetic opioids, incl. methadone (T40.2-T40.4)	356	446	809	1,179	1,172	1,311	979	-25.3%
Total Number of Deaths	39,147	40,105	47,595	49,137	47,661	45,745	45,293	-1%
Psychostimulants with abuse potential (T43.6)	330	367	537	760	728	846	767	-9.3%

Source: Center for Disease Control and Prevention

According to data from the CDC shown in **Figure 3**, drug overdose deaths in Colorado from **illegally** manufactured fentanyl were 558 in 2020, 974 in 2021, 981 in 2022, and 1,171 in 2023.<sup>ii</sup> Opioid based drug overdose deaths are 76.9% of all drug overdose deaths in Colorado a 34.9 percentage point increase from 42% in 2020. Illegally manufactured fentanyl accounts for 67.7% of all drug overdose deaths in 2023, a 25.7 percentage point increase from 2020.

FIGURE 3 – FENTANYL-RELATED DRUG OVERDOSE DEATHS AT THE SOUTHWEST BORDER

Fentanyl-Related Drug Overdose Deaths				
	2020	2021	2022	2023
All Drugs Deaths	1,329	1,712	1,662	1,730
Opioids Deaths	976	1,300	1,201	1,330
Illegally-Made-Fentanyl's Deaths	558	974	981	1,171
Illegally-Made-Fentanyl's with no other opioids or stimulants Deaths	214	405	410	430
Illegally-Made-Fentanyl's and Methamphetamine Deaths	78	206	268	410
Illegally-Made-Fentanyl's and Cocaine Deaths	117	138	123	124
Drug Overdose Death Rates per 100,000				
	2020	2021	2022	2023
All Drugs Death Rate	22.4	28.7	27.7	28.8
Opioids Death Rate	16.3	21.7	19.8	22.0
Illegally-Made-Fentanyl's Death Rate	9.3	16.3	16.1	19.3
Drug Overdose Death Percents				
	2020	2021	2022	2023
All Drugs Death Percent	100%	100%	100%	100%
Opioids Death Percent	42.0%	75.9%	72.3%	76.9%
Illegally-Made-Fentanyl's Death Percent	42%	56.9%	59.0%	67.7%
Illegally-Made-Fentanyl's with no other opioids or stimulants Death Percent	16.1%	23.7%	24.7%	24.9%
Illegally-Made-Fentanyl's and Methamphetamine Death Percent	8.8%	12.0%	16.1%	23.7%
Illegally-Made-Fentanyl's and Cocaine Death Percent	8.8%	8.1%	7.4%	7.2%

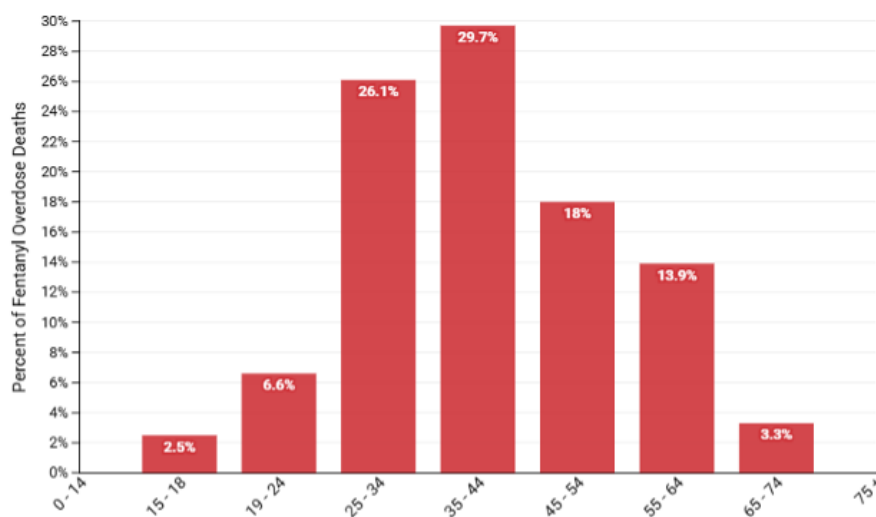
Source: Centers for Disease Control and Prevention, SUDORS Dashboard: Fatal Overdose Data

## DEMOGRAPHICS OF FENTANYL OVERDOSE DEATHS

The characteristics of fentanyl overdose deaths are not evenly distributed. According to the Colorado Department of Health and Environment in 2023, overdose deaths from fentanyl were 75% male and 25% female, and 59% are single never married. The age distribution of fentanyl overdose deaths is shown in **Figure 4**. People between the ages of 25 to 54 account for 73.8% of all fentanyl-related overdose deaths. The largest share of OD victims is between 35 and 44 years old, followed closely by those aged 25 to 34.

**FIGURE 4 - AGE OF FENTANYL OVERDOSE VICTIMS - 2023**

**Age of Fentanyl Overdose Deaths - 2023**



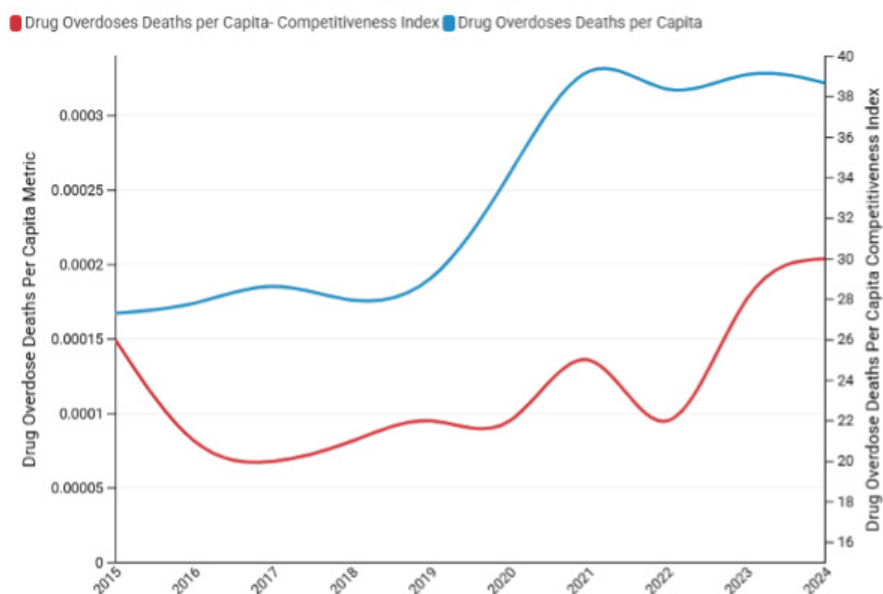
# COLORADO DRUG (ALL DRUGS) OVERDOSE DEATHS AND COMPETITIVENESS INDEX

CSI produces a drug overdose per capita metric and competitiveness index for all fifty states and the District of Columbia. The drug overdose per capita metric is then ranked relative to all fifty states and the District of Columbia. The ranking of 1 is best, 51 is worst.

**Figure 5** shows the Drug Overdose Competitiveness Index and the underlying metric for Colorado. The underlying metric, drug overdose deaths per capita increased from 0.000167 in 2015 to 0.000322 in 2024, a 92.8% increase. The Drug Overdoses Deaths per Capita Competitiveness Index decreased from 26 in 2011 to 30 in 2024. Relative to other states, the problem is getting worse in Colorado.

**FIGURE 5 – COLORADO DRUG OVERDOSE INDEX AND COMPETITIVE INDEX**

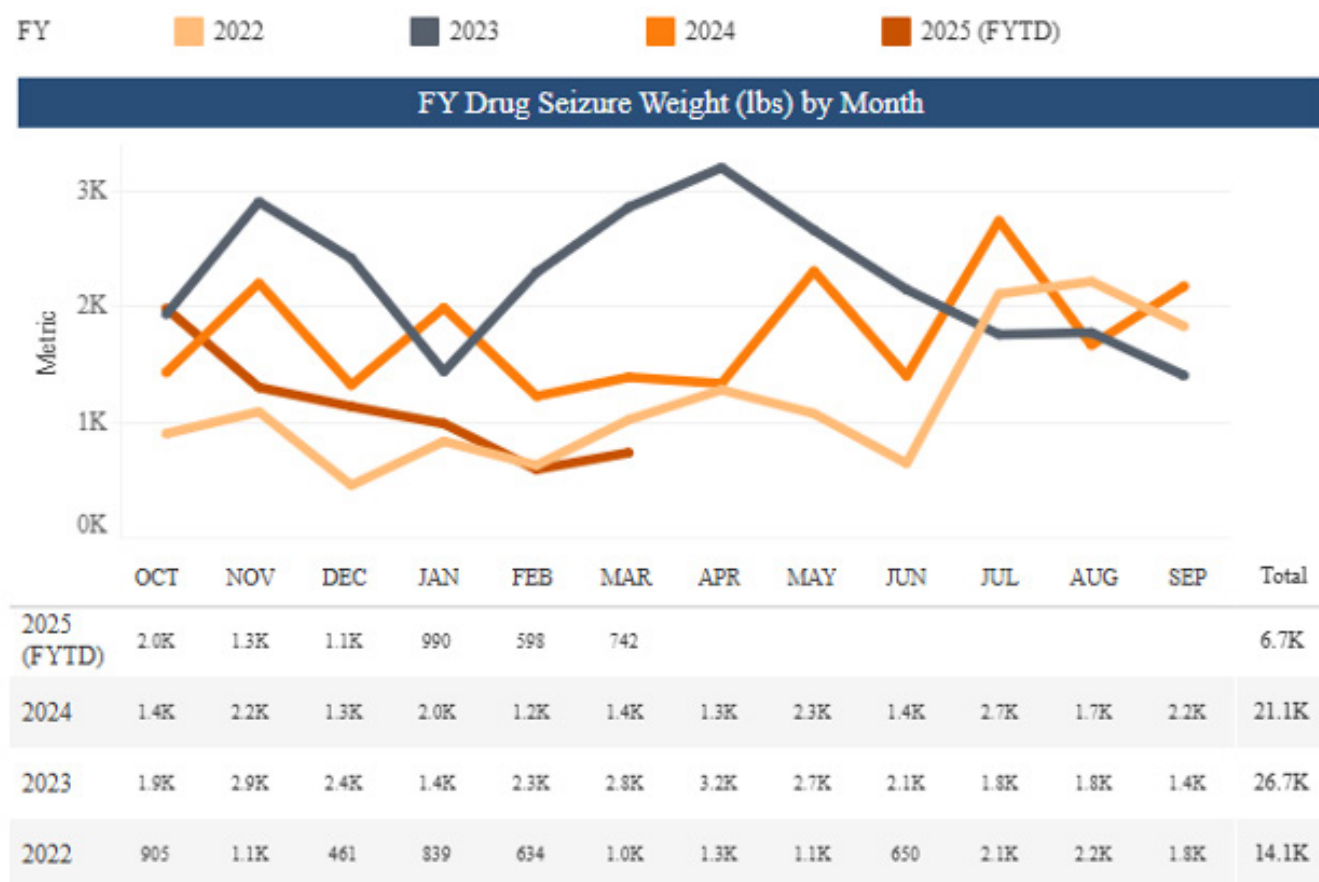
## Colorado Drug Overdoses per Capita - Competitive Index and Metric



## FENTANYL SEIZURES AT THE SOUTHWESTERN BORDER

Colorado is a major destination for illegal drugs crossing the southwest border, so stopping the flow of drugs from the border helps to reduce availability. According to U.S. Customs and Border Patrol (CBP), fentanyl seizures at the southwest border were highest in fiscal year 2023 at 26,700 pounds. In fiscal year 2024, seizures were 21% lower than 2023 levels with 21,100 pounds. Half-way through fiscal year 2025 seizures amount to 6,730 pounds, 29% less than in 2024 at the same point in time, see [Figure 6](#).

**FIGURE 6 - FENTANYL SEIZURES AT U.S. SOUTHERN BORDER (SOURCE: CBP)**





## FENTANYL AND NARCOTICS SEIZURES IN COLORADO

The Drug Enforcement Agency Rocky Mountain Field Division's (RMFD) 2023 year in review reported record fentanyl seizures in calendar year 2023.<sup>iii</sup> The RFMD is responsible for 450,000 square miles of territory with thirteen offices across Colorado, Utah, Wyoming, and Montana. In 2023, the RMFD seized more fentanyl pills than any previous year. Seizure statistics by state are shown in **Figure 7**.

In 2023, Colorado had the most fentanyl seizures by the RMFD by far with 425.6 kilograms, enough to kill everyone in the state thirty-six times over. This is followed by Utah with 119.3 kilograms, Montana with 17.87 kilograms, and Wyoming with 4.58 kilograms. The total for the RMFD region was 567.24 kilograms, enough to kill 86% of all Americans.

**FIGURE 7 – DEA ROCKY MOUNTAIN FIELD DIVISION FENTANYL SEIZURES IN 2023**

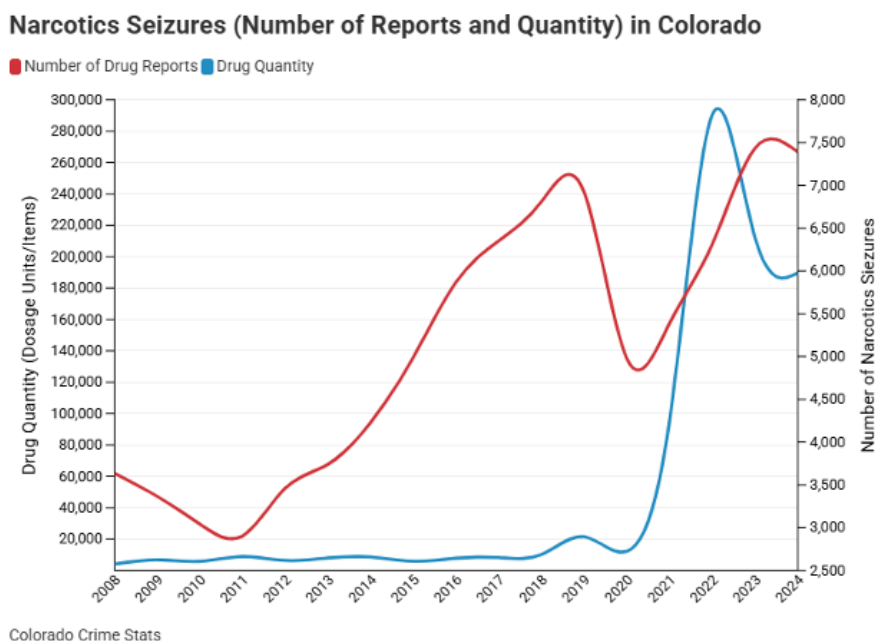
DEA Rocky Mountain Field Division Fentanyl Seizures in 2023						
	Quantity Seized	Milligram Equivalent	Lethal Dosage	Potential Deaths (people)	Population of State	Potential Deaths per Person
Colorado	425.6 kg	425,600,000 mg	2 mg	212,800,000	5,839,926	36.44
Montana	17.87 kg	17,870,000 mg	2 mg	8,935,000	1,122,867	7.96
Utah	119.3 kg	119,300,000 mg	2 mg	59,650,000	3,380,800	17.65
Wyoming	4.58 kg	4,580,000 mg	2 mg	2,290,000	581,381	3.94
<b>Total</b>	567.24 kg	567,240,000 mg	2 mg	283,620,000	10,924,974	25.96

Despite the decline in seizures at the southwestern border, in December 2024, the RFMD announced that through November 2024 they had seized a record 2.7 million fentanyl pills, an increase of 3.5% over the 2023 full year seizures of 2.61 million pills.

Another source of data for the number of narcotics seizures over time is the Colorado Bureau of Investigations Colorado Crime Stats, which continuously collects crime data from all law enforcement agencies in the state, validates the data, and reports it. The data does not specifically isolate fentanyl from other narcotics, but since fentanyl represents a large share of total narcotics, it offers an indication of the growth in fentanyl seizures over time.

In 2008, the number of drug seizure reports for narcotics was 3,639 with 4,044 units seized. By 2023, the number of reports peaked at 7,434, a 104.3% increase, and the units seized rose to 150,844. In 2024, the number of reports declined to 7,391, a decrease of 0.6%, and the units seized increased to 189,589, a 25.7% increase, see **Figure 8**.

**FIGURE 8- NARCOTICS SEIZURES IN COLORADO (COLORADO CRIME STATS)**



## THE ECONOMIC COST OF AN OPIOID OVERDOSE

The Center for Disease Control and Prevention (CDC) methodology from “State-Level Economic Costs of Opioid Use Disorder and Fatal Opioid Overdose – United States, 2017” was used to estimate the cost of an opioid overdose in Colorado. The CDC estimated the cost of fatal opioid overdoses for thirty-eight states and DC in 2017. For Colorado, they found the total cost of all fatal opioid overdoses in 2017 to be over \$6.7B. The CDC used a case count of 578 fatal opioid overdoses, a per death cost of \$11.5M. Using this same approach, CSI estimated the cost per death and total costs in 2018 through 2024 by inflating the per death costs in each category by the Personal Consumption Expenditure Price Index (excluding energy and food). This raises the cost per opioid related death from \$16.1M to \$17.1M. The total cost of any type of fatal opioid overdose in 2024 cost Colorado about \$17B. Fentanyl alone accounted for 77% of all opioid overdose costs, making the 2024 total cost of overdose deaths attributable to fentanyl \$13.1B, see **Figure 9**.

**FIGURE 9 – ECONOMIC COST OF OPIOID OVERDOSE DEATHS IN COLORADO**

Total Economic Cost of Any Opioid Overdose Death in Colorado							
	Number of Opioid Overdose Deaths	Healthcare Costs	Lost Productivity	Value of Statistical Life Lost	Total Cost per Death	Total Cost for all Opioid Deaths	Total Cost Attributed to Fentanyl Overdose
2017	578	\$5,536	\$1.4M	\$10.1M	\$11.5M	\$6.7B	\$1.3B
2018	543	\$5,749	\$1.5M	\$10.5M	\$12.0M	\$6.5B	\$2.3B
2019	620	\$6,025	\$1.6M	\$11.0M	\$12.6M	\$7.8B	\$4.4B
2020	976	\$5,873	\$1.5M	\$10.7M	\$12.2M	\$11.9B	\$8.5B
2021	1,300	\$6,589	\$1.7M	\$12.0M	\$13.7M	\$17.8B	\$11.1B
2022	1,207	\$7,294	\$1.8M	\$13.3M	\$15.2M	\$18.3B	\$13.2B
2023	1,375	\$7,735	\$2.0M	\$14.1M	\$16.1M	\$22.1B	\$16.0B
2024	1,000	\$8,184	\$2.1M	\$14.9M	\$17.0M	\$17.0B	\$13.1B

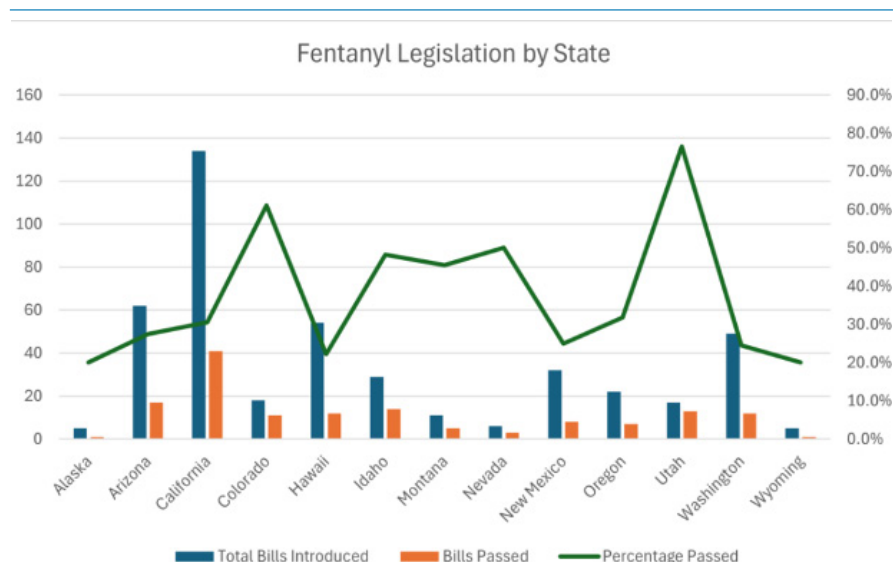
## RECENT STATE LEGISLATION RELATED TO FENTANYL

Since 2022, no new legislation has passed in the state of Colorado. In 2022, the Colorado State Legislature passed HB22-1326, the Fentanyl Accountability and Prevention Act. The legislation was in response to rising fentanyl overdose deaths in the state. The bill increases penalties for possessing or distributing fentanyl, and it funds drug treatment and education programs. HB22-1326 came after the passage of HB19-1263 that made possession of four grams or less of most drugs, including fentanyl, a misdemeanor rather than a felony.

According to the Council of State Governments West (CSG West), as of 2024, of the 444 bills introduced in 13 western states in recent years, Utah has enacted the highest percentage of fentanyl legislation introduced (76.5%), see **Figure 10**. Colorado is second with an enactment rate of 61.1%, followed by Nevada (50%) and Idaho (48.3%).<sup>iv</sup> Bills have been focused on drug trafficking, education and awareness, and creation of task forces aimed at specific facets of the fentanyl endemic.

In 2024, Representative Mike Lynch and Senator Byron Pelton introduced HB24-1306, which would have increased the criminal penalty associated with possession of synthetic opiates. The bill sought to make the possession of any material, compound, mixture, or preparation that contains any quantity of fentanyl a level 4 drug felony. The legislation, HB24-1306, was killed in the House Judiciary Committee and never made it to a floor for a vote.

**FIGURE 10 - FENTANYL LEGISLATION IN WESTERN STATES**



Source: Council of State Governments West (CSG West)

# A COLORADO BLUEPRINT TO ADDRESSING FENTANYL

The fentanyl epidemic coincided with the decriminalization of possession of hard drugs in House Bill 19-1263, which made it a misdemeanor to possess 4 grams or less of drugs like fentanyl. Fentanyl is often used in conjunction with other hard drugs, such as cocaine and methamphetamine. Hundreds of Coloradans die each year from non-fentanyl overdoses, and hundreds more die from mixed drug toxicity, e.g. fentanyl combined with other drugs.

Specific recommendations that could address the growing challenges associated with fentanyl include:

## STRONGER CRIMINAL PENALTIES FOR THE POSSESSION OF ANY AMOUNT OF DRUGS

Policymakers should strongly consider reverting to the effective drug laws that imposed stronger criminal penalties for the possession **of any amount** of drugs like methamphetamine, cocaine, and heroin. While the state made some strides in strengthening fentanyl possession laws with the passage of HB22-1326, legislators failed to address other hard drugs that often contribute to overdoses.

To date, it remains a misdemeanor to possess one gram of fentanyl, which is equivalent to 1000 milligrams. It is widely recognized that 2mg of fentanyl is enough to kill an average American, meaning that it remains a misdemeanor to possess enough fentanyl to kill five hundred individuals. The amount of fentanyl seized in Colorado in 2023 would have been enough to kill at least one in three Coloradans.<sup>v</sup> Colorado policymakers should make it a class 4 drug felony to possess any amount of fentanyl, ensuring sufficient consequences to incentivize treatment through successful programs like drug courts.

## POLICYMAKERS SHOULD BE PROACTIVE IN IDENTIFYING AND PREVENTING THE DRUG THAT EVENTUALLY SUPPLANTS FENTANYL

The fentanyl epidemic first took root in the country's coastal cities before eventually arriving in Colorado. It is common that new drug trends typically begin in the country's largest cities, and Colorado's policymakers should be forward-thinking and anticipate when the next synthetic drug might arrive in the state. To address the challenges associated with fentanyl, policymakers and law enforcement leaders should be proactive in identifying and preventing the drug that eventually supplants fentanyl.

## A COMPREHENSIVE PUBLIC HEALTH STRATEGY AND CAREFUL MONITORING PROGRESS FOR RESULTS IS NEEDED

The fentanyl epidemic cannot be solved through enforcement alone. A comprehensive public health strategy, paired with targeted law enforcement and community support, is essential. Colorado should work collaboratively to implement these policies to save lives, reduce harm, and address the root causes of substance abuse and ensure that the public health and harm reduction aspects of HB22-1326 are being implemented.

House Bill 22-1326 not only increased criminal penalties for fentanyl-related offenses but also funded four public health initiatives: naloxone accessibility, fentanyl test strip distribution, fentanyl treatment, and the development of a fentanyl education program. After three years, the governor and legislative leaders should ensure these initiatives have been effectively implemented and are reducing fentanyl-related harm as intended. The results of how these preventive measures are working should be made available to the public.

## EDUCATION AND PUBLIC AWARENESS PROGRAMS ARE NEEDED

Policymakers should support comprehensive education programs in schools to inform youth about the dangers of fentanyl. The state could also launch public awareness campaigns targeting at-risk populations, as was done with methamphetamine billboards, etc.

## OTHER RECOMMENDATIONS

Support specialized training for law enforcement officers on handling fentanyl-related incidents safely and allocate resources for advanced detection equipment to identify fentanyl during investigations. And, finally, the state should continue funding multi-agency task forces to disrupt and dismantle drug trafficking organizations.



## BOTTOM LINE

A series of negative outcomes followed the bill which reduced the penalty for possession of deadly drugs to a misdemeanor, HB19-1263. The legislation that followed in 2022 took the state in the right direction, but based on the findings in this report, there is more needed to prevent more fentanyl-related deaths.

To the extent that fentanyl deaths have decreased, they have done so following state-level policy changes and tightened measures at the southern border. Measures that continue the work established in 2022 could be bolstered with additional penalties and supplemented with a targeted public health campaign complete with rigorous performance tracking.

Colorado's legislature should work to reduce the human and economic costs of fentanyl overdoses by recognizing that legislation has a direct impact on behavior. Public safety is a foundational responsibility for a government, and its economic consequences are real. Colorado leaders should consider making a felony out of any amount of fentanyl, as proposed under HB24-1306, and adopt necessary preventative measures, training, and education programs in the meantime.

## SOURCES

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- i. <https://cohealthviz.dphe.state.co.us>
- ii. <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>
- iii. <https://www.dea.gov/press-releases/2024/01/31/year-review-dea-rocky-mountain-field-division-sees-record-year-fentanyl>
- iv. <https://csgwest.org/2024/08/20/latest-efforts-at-addressing-the-fentanyl-crisis-at-the-state-federal-levels>
- v. <https://www.common senseinstituteus.org/colorado/research/housing-and-our-community/colorados-fentanyl-problem-and-the-economic-costs>