Marijuana in Colorado
by
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Medical Marijuana

Serving since 1996
• In the year 2000 Colorado voters approved to amend the constitution to allow marijuana for medical use.
• The average age of a medical marijuana patient in Colorado is 42.
• Popular opinion on the use of marijuana has greatly increased over the years.
• This opinion may be paving the way to the legalization of marijuana (for recreational use).
• Is this the beginning of the end of prohibition on marijuana?
Legal At Last

Colorado

Amendment 64
Amendment 64

- Applies to persons 21 years of age and older
- Can possess, use and grow limited amounts of marijuana (One ounce or less and/or six plants or less).
- Possess marijuana paraphernalia to include items to grow, produce and package.
- Employers can restrict marijuana use for their workforce.
Conflicting laws

• Protected by the state constitution.
• Conflicts with current state statutes.
• Direct conflict with federal law.
• Marijuana is a Schedule I Controlled Substance under federal law.

• Drug Free Workplace
  – Receiving federal funding?
  – Cannot use drugs including marijuana.

• Public perception for safety concerns
  – Law enforcement officers using drugs?
    • Agency policies and guidelines
    • Best practices
Is it like alcohol?

• Treat it like alcohol.
  – Set Per Se limits?
  – Automatic Revocation of driving privileges?
• Still a criminal act for unauthorized amounts
  – Drafting policy to assist troopers when they contact an individual that possesses marijuana.
• Regulate it?
  – It’s not like alcohol
    • Marijuana’s THC levels are rising as plants are blended.
      – 40 proof up to 80 proof and beyond.
    • Unlike alcohol, marijuana possession is limited
CSP

- Issued memo to all employees stressing the fact that marijuana may be legal as of December 10, 2012, but no CSP employee will use the drug.

- Maintaining current practices with new hires: 2 years with no use.

- Maintaining Drug Free Workplace practices
Next step?

• Law enforcement officer’s use?
  – Treat it like alcohol?
  – Federal gun and drug regulations?

• Current practices
  – New hires
  – Current employees
  – Civilian line
  – Drug testing

• Update agency practices for the times?
Enforcement Actions

- Probable cause searches?
- Better articulation of the officer
- K-9 searches (Most K-9 are trained to search for 4 drugs: Heroin, Marijuana, Methamphetamine and Cocaine)
- No case law for the use, possession and cultivating marijuana for states that have accepted regulatory marijuana laws.
<table>
<thead>
<tr>
<th>Year of Fatal Crash</th>
<th>Total Colorado Drivers</th>
<th>Drivers Testing Positive for Cannabinoids</th>
<th>Percent</th>
<th>Total Drivers in Medical Marijuana States</th>
<th>Drivers Testing Positive for Cannabinoids</th>
<th>Percent</th>
<th>Total Drivers in States with No Medical Marijuana Law</th>
<th>Drivers Testing Positive for Cannabinoids</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>864</td>
<td>33</td>
<td>3.8%</td>
<td>10,614</td>
<td>587</td>
<td>5.5%</td>
<td>51,072</td>
<td>1,423</td>
<td>2.8%</td>
</tr>
<tr>
<td>2008</td>
<td>779</td>
<td>37</td>
<td>4.7%</td>
<td>9,635</td>
<td>575</td>
<td>6.0%</td>
<td>46,185</td>
<td>1,609</td>
<td>3.5%</td>
</tr>
<tr>
<td>2009</td>
<td>719</td>
<td>43</td>
<td>6.0%</td>
<td>10,043</td>
<td>598</td>
<td>6.0%</td>
<td>40,246</td>
<td>1,578</td>
<td>3.9%</td>
</tr>
<tr>
<td>2010</td>
<td>650</td>
<td>45</td>
<td>6.9%</td>
<td>9,401</td>
<td>590</td>
<td>6.3%</td>
<td>40,410</td>
<td>1,726</td>
<td>4.3%</td>
</tr>
<tr>
<td>2011</td>
<td>645</td>
<td>56</td>
<td>8.7%</td>
<td>9,421</td>
<td>602</td>
<td>6.4%</td>
<td>39,653</td>
<td>1,589</td>
<td>4.0%</td>
</tr>
<tr>
<td>Total</td>
<td>3,657</td>
<td>214</td>
<td>5.9%</td>
<td>49,114</td>
<td>2,952</td>
<td>6.0%</td>
<td>217,566</td>
<td>7,925</td>
<td>3.6%</td>
</tr>
</tbody>
</table>
Impaired Drivers

- People killed in marijuana related crashes.
- More popular marijuana is the more it affects us.
- Colorado has approximately 108 DRE’s.
- Expanding the ARIDE.
- Inter partner relationships.
It’s spreading to a state near you

Questions?