

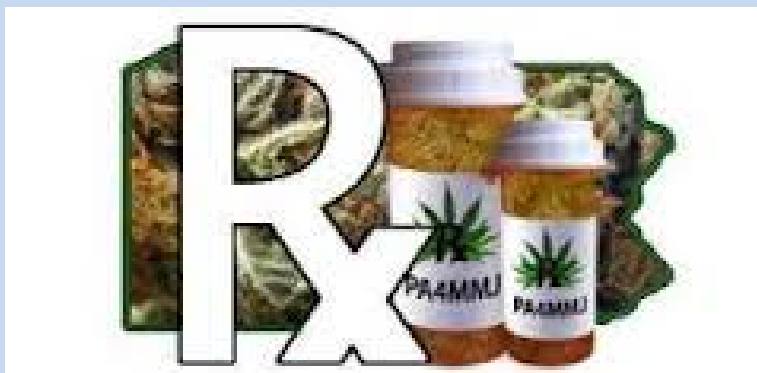
Marijuana in Colorado

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



2013
Workshop
& **law institute**
Atlanta, GA • March 12-13



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.



		Total Colorado Drivers	Drivers Testing Positive for Cannabinoids	Percent	Total Drivers in Medical Marijuana States	Drivers Testing Positive for Cannabinoids	Percent	Total Drivers in States with No Medical Marijuana Law	Drivers Testing Positive for Cannabinoids	Percent
Year of Fatal Crash	2007	864	33	3.8%	10,614	587	5.5%	51,072	1,423	2.8%
	2008	779	37	4.7%	9,635	575	6.0%	46,185	1,609	3.5%
	2009	719	43	6.0%	10,043	598	6.0%	40,246	1,578	3.9%
	2010	650	45	6.9%	9,401	590	6.3%	40,410	1,726	4.3%
	2011	645	56	8.7%	9,421	602	6.4%	39,653	1,589	4.0%
	Total	3,657	214	5.9%	49,114	2,952	6.0%	217,566	7,925	3.6%



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

What's next?



Questions?

