



For Immediate Release

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## **As Legislature Prepares to Consider Fentanyl Bill, Poll Finds Most Colorado Voters Oppose Increasing Penalty for Simple Drug Possession**

*Law enforcement officials' calls to re-felonize drug possession are not widely supported by the community; more than half of Colorado voters have a close family member or friend who has experienced addiction, and about three out of four voters think the state should focus more on prevention and treatment and less on punishment and incarceration*

*See below for links to the full results of the statewide survey and additional citywide surveys conducted in Denver and Aurora*

DENVER — As state lawmakers prepare to consider legislation aimed at addressing fentanyl in Colorado, a new poll finds most voters oppose law enforcement officials' recent calls to re-felonize simple drug possession. A strong majority think the state should focus more on prevention and treatment and less on punishment and incarceration.

The Public Policy Polling survey of 624 registered Colorado voters was conducted March 31–April 1, and it has a margin of error of plus or minus 3.9 percentage points. Additional citywide surveys were conducted in Denver and Aurora during the same period, which have margins of error of plus or minus 4.3 percentage points and plus or minus 3.9 percentage points, respectively.

View the Colorado statewide survey results at <https://bit.ly/PPP-Colorado-Apr2022>.

View the Denver results at <https://bit.ly/PPP-Denver-Apr2022> and the Aurora results at <https://bit.ly/PPP-Aurora-Apr2022>.

Key findings of the statewide survey:

- About three out of four Colorado voters (73%) agree that, when it comes to addressing issues related to drug use, Colorado should focus more on prevention and treatment and less on punishment and incarceration.
- Most Colorado voters (56%) oppose increasing the penalty for drug possession from a misdemeanor to a felony. That number increased when voters learned that such a penalty increase would result in the state needing to open a new prison. Nearly two out of three voters (65%) think the Legislature should keep the penalty for drug possession a misdemeanor and invest in prevention and treatment, compared to just one in four (24%) think the Legislature should increase the penalty to a felony and open another prison.
- 42% of Colorado voters would be less likely to vote for an elected official who supported increasing the penalty for drug possession to a felony. Just 24% would be more likely to vote for them.
- More than half of Colorado voters (51%) have a close family member or friend who has experienced drug addiction.

Voters' sentiment echoes that of more than 60 community organizations that [sent a letter](#) to state lawmakers last month, urging them to oppose re-felonization of simple drug possession and adopt a public health approach to addressing the fentanyl overdose crisis.

Since the introduction of [HB22-1326](#), which proposes increasing the penalty for fentanyl distribution, law enforcement and other officials have called for increasing the penalties for simple possession from a misdemeanor to a felony. The Colorado House Judiciary Committee is scheduled to hold their first hearing on the bill April 12.

“The recent push by law enforcement to re-felonize drug possession will not be effective in reducing drug use and is not supported by a majority of the community,” said Colorado Criminal Justice Reform Coalition Executive Director Christie Donner. “Colorado voters think efforts to address drug use and addiction should focus on prevention and treatment, not punishment and incarceration. Making drug users felons is not the way to help them.

“Police officers and drug task forces are supposed to enforce laws, not pressure legislators to pass bad laws. Preventing overdose deaths and treating addiction are public health matters, and lawmakers should follow the guidance of public health experts.”

Researchers say there is little evidence that increasing penalties for drug crimes prevents drug use, according to a report this past weekend in The Denver Post. Research also shows that

people leaving incarceration are 10 to 40 times more likely to die of an opioid overdose than the general population, the report said.

Many of the solutions recommended by public health researchers echo the recommendations CCJRC and the Harm Reduction Action Center offered to legislators in a [fentanyl policy brief](#) last month. They include public health approaches like increasing availability of fentanyl testing strips and the overdose-reversal drug naloxone and increasing funding for community-based prevention, treatment, and recovery programs.

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*The Colorado Criminal Justice Reform Coalition is a non-profit organization dedicated to eliminating the overuse of the criminal justice system and advancing community health and safety. For more information, visit <https://www.ccjrc.org>.*