LEGALIZATION FROM THE CRIME LAB AND LAW ENFORCEMENT PERSPECTIVE

Beth Smalley Toxicology Section Supervisor
Sergeant Doug Samuelson Montana Highway Patrol

INCREASE IN DUI SUBMISSIONS FOR 2021

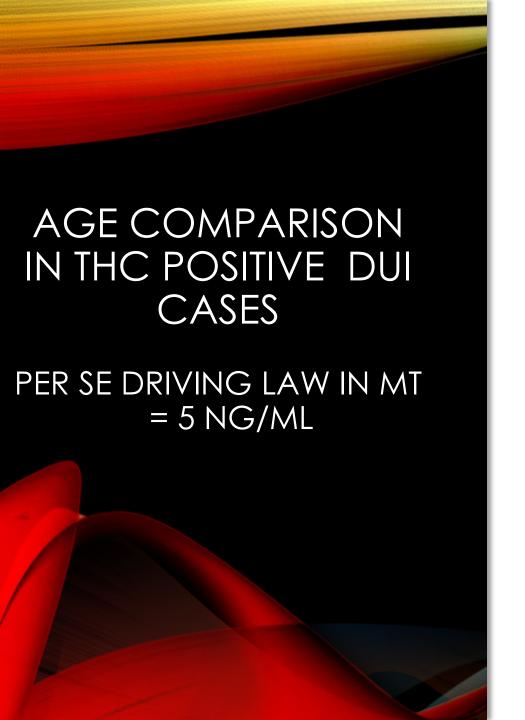
Year	Number of DUIs Submitted Through October	Number of DUIs Submitted For the Year			
2019	2844	3358			
2020	2960	3520			
2021	3216	????			

As of October 2021: 9% increase in DUI cases

11% increase in Postmortem cases

INCREASE IN THC TESTS PERFORMED

Year	Number of THC tests performed			
2019	840			
2020	1035			
2021	900 through October Made a policy change to reduce postmortem testing starting January 1, 2020			



<u>2020</u>							
Age Range	14-20	<u>21-30</u>	<u>31-40</u>	<u>41-50</u>	<u>51-60</u>	<u>61-70</u>	<u>72-82</u>
Number of Cases	135	<mark>208</mark>	169	106	56	32	4
<u>Mean THC</u>	11.38	10.80	10.09	8.42	8.72	7.90	5.03
2019							
Age Range	<u>15-20</u>	<u>21-30</u>	<u>31-40</u>	<u>41-50</u>	<u>51-60</u>	<u>61-70</u>	<u>71-78</u>
Number of Cases	119	183	138	75	59	32	4
Mean THC	10.94	8.71	8.90	9.02	9.14	9.35	4.38
2018							
<u>Age Range</u>	14-20	<u>21-30</u>	<u>31-40</u>	<u>41-50</u>	<u>51-60</u>	<u>61-70</u>	<u>71-75</u>
Number of Cases	123	196	135	66	51	26	3
Mean THC	9.97	9.27	7.19	10.66	8.85	10.23	5.1

LEGALIZATION AND DRIVING

- Anticipate an increase in DUI cases involving marijuana and / or poly drug use
- Anticipate an increase in DUI crashes involving marijuana and / or poly drug use
- Likely to see an increase in marijuana and / or poly drug use as a factor in fatal crashes

LAW ENFORCEMENT PREPARATION FOR LEGALIZATION

- 20 Advanced Roadside Impaired Driving Enforcement (ARIDE) training courses have been conducted in the last two years
- An extra Drug Recognition Expert (DRE) course was conducted this year with a grant from the International Association of Chiefs of Police (IACP)
- Another DRE course will be conducted in December 2021 expanding to the program to areas with limited access to DREs
- Oral fluid testing was approved by the legislature and the framework on how this will be used to combat impaired driving is currently in the works

CONCERNING PRODUCTS

- High THC plant material
- Edibles
- Extracts
- CBD
 - When heat is added
- New and Novel THC types
 - Delta 8 THC
 - THC-0-Acetate





