

SNARE

Minnesota's Official Drug Recognition Evaluation Newsletter



July 2021

Volume 2, Issue 1



Special Interest Articles:

- 15 New DREs Trained in MN
- Delta-8 THC – What Is It?
- How Common is Drugged Driving?



Individual Highlights:

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- Learn from Colorado
- Delta-8 THC – What Is It?

15 NEW DRUG RECOGNITION EVALUATORS TRAINED

The 2021-1 Drug Evaluation and Classification Program Pre-School and DRE School were presented on May 24 – June 4, 2021. This was Minnesota's 31st DRE School since its program's inception in 1991.

The classroom portion of the training was held at the Minnesota State Patrol's Commercial Vehicle Section office in Mendota Heights, Minnesota.

Fifteen officers from eleven different agencies attended the training. The roster included five municipal officers, one tribal officer (the first DRE trained in their department), four county deputies and five state troopers. The quality of the students is evident by their average score of 93.5% on the final examination.

The students will soon travel to Philadelphia, PA to complete their certifications.



Meet The New DRE Coordinator

In July, 2020, Trooper Tyler Milless was promoted to the rank of Sergeant. He is now Minnesota's Drug Recognition Evaluation Coordinator

Sergeant Milless has been a State Trooper since 2016 and has been stationed in the Mankato, Golden Valley, and Saint Cloud Districts. He has been a Phlebotomist since 2017, a DRE since 2018, and a SFST/DRE instructor since 2018. Sgt. Milless has been awarded the MADD DWI Top Enforcer award in 2018 as well as multiple Hat Trick Awards in his career.

The DRE Coordinator is responsible for developing, implementing and coordinating statewide impaired driving training and certification programs. The DRE Coordinator works closely with the Office of Traffic Safety, International Association of Chiefs of Police and the National Highway Traffic Safety Administration.

Sergeant Tyler Milless is passionate and dedicated to Impaired Driving Enforcement, and has great plans to move this program forward.



CASE LAW Minnesota Police Briefs (Vol. 36 No. 4)

Refusal – Belligerent Conduct

Affirming the defendant's conviction for DWI – test refusal, the Court finds the defendant's belligerent conduct and refusal to cooperate with giving a test pursuant to a search warrant provided sufficient evidence to support the refusal conviction. State v. Platt (Ct. Appr. Unpubl., 03/08/2021)

DWI and Refusal

The Court here finds the District Court erred in entering judgements of conviction for both driving under the influence and test refusal since the offenses were committed during

a single behavioral incident and were violations of the same criminal statute. State v. Bonkowske (Ct. App., 03/15/21).

Physical Control

The Court affirms the defendant's conviction for DWI based on physical control where surveillance video evidence showed the defendant entering his semitruck through the driver's door while intoxicated and he remained in the truck for about four minutes. Further, there was evidence the truck was operable. State v. Czarnecki (CT. App. Unpubl., 03/22/21).



“Every day, about 28 people in the United States die in drunk-driving crashes – that’s one person every 52 minutes.

National Highway Traffic Safety Administration, 2019.

DRE’s In Minnesota

In 2020, Minnesota had approximately 216 certified Drug Recognition Evaluators. In Minnesota, DREs completed 772 Drug Recognition Evaluations. Of those, 387 were called as Poly-Category. Poly-Category means more than one drug, from more than one of the seven categories, was used by the offender.

IACP Drug Evaluation & Classification Program 2020 Annual Report

How Many DREs Are There?

Per the DEC Program state coordinator reports, there were 8,150 DREs in the United States as of December 31, 2020. Of those, 2,222 DREs were employed by state police or highway patrol agencies; 4,291 were affiliated with city police or municipal agencies; 1,142 were with sheriff’s departments; and 349 were with other agencies such as U.S. Park Police, U.S. Military Police, U.S. Fish and Wildlife Service, motor carrier compliance. Of the 8,150 DREs

in the United States, 1,556 were also DRE instructors. In addition to the U.S. DREs, there were an additional 1,389 DREs in Canada. According to the submissions from state DEC Program coordinators, there were 2,872 law enforcement agencies in the United States in 2020 in which a DRE was serving within the organization.

IACP Drug Evaluation & Classification Program 2020 Annual Report

Drugs Used Across the Country



IACP Drug Evaluation & Classification Program 2020 Annual Report

Drugged Driving – How Many People Do It?

How many people take drugs and drive?

According to the 2018 National Survey on Drug Use and Health (NSDUH), in 2018, 20.5 million people aged 16 or older drove under the influence of alcohol in the past year and 12.6 million drove under the influence of illicit drugs.

The survey also showed that men are more likely than women to drive under the influence of drugs or alcohol. A higher percentage of adults aged 21 to 25 drive after taking drugs or drinking than do young adults aged 16 to 20 or adults 26 or older.

Which drugs are linked to drugged driving?

After alcohol, marijuana is the drug most often found in the blood of drivers involved in crashes. Tests for detecting marijuana in drivers measure the level of *delta-9-tetrahydrocannabinol* (THC), marijuana's mind-altering ingredient, in the blood. But the role that marijuana plays in crashes is often unclear. THC can be detected in body fluids for days or even weeks after use, and it is often combined with alcohol. The vehicle crash risk associated with marijuana in combination with alcohol, cocaine, or benzodiazepines appears to be greater than that for each drug by itself.

Several studies have shown that drivers with THC in their blood were roughly twice as likely to be responsible for a deadly crash or be killed than drivers who hadn't used drugs or alcohol. However, a large NHTSA study found no significant increased crash risk traceable to marijuana after controlling for drivers' age, gender, race, and presence of alcohol.¹¹ More research is needed.

Along with marijuana, prescription drugs are also commonly linked to drugged driving crashes. In 2016, 19.7 percent of drivers who drove while under the influence tested positive for some type of opioid.

What We Can Learn From Colorado

Rooted in research: data,

statistics and research insights

CDOT's most recent initiative, The Cannabis Conversation, engaged with the public and stakeholders over two years to learn more about cannabis-impaired driving behaviors, attitudes and beliefs — and seek stakeholder-generated solutions for how to keep Colorado's roads safe. After surveying more than 18,000 Coloradans and gathering input from the marijuana industry, law enforcement, local government, prevention groups, and healthcare organizations, CDOT identified these primary challenges:

- Lack of education about marijuana impairment and driving

- A false perception that driving high isn't dangerous, and there's little chance of being pulled over
- Lack of understanding for how different consumption methods affect impairment
- A lack of trust in empirical data showing driving high is a problem nationwide

Research conducted by CDOT, AAA, the Colorado Department of Public Safety, and CDPHE provides insight on the issue of cannabis-impaired driving and the need for impactful awareness and education campaigns.

- The more often people consumed cannabis, the less dangerous they considered driving high to be. And the more often they

consumed, the safer they felt to drive.

- Nearly 70% of Americans think it is unlikely that a driver will be caught by police for driving while impaired by marijuana. (AAA)
- According to a AAA survey, groups most likely to drive within one hour of consumption:
 - Millennials (~14%)
 - Gen-Z (10%)
 - Men (8%)
 - Women (5%)
- In 2019 in Colorado, there were 49 cannabis-involved fatalities with drivers who tested positive for 5ng or greater of Delta-9 THC. (CDOT, Fatality Analysis Reporting System)

Delta-8 THC – What Is It?

How is delta-8 THC different from delta-9 THC?

Both delta-8 and delta-9 THC are naturally found in cannabis, and chemically, the two compounds are very similar. All that separates them is the location of a double bond, found on the eighth carbon in delta-8 THC and the ninth carbon in delta-9.

As far as scientists know, all forms of THC bind to cannabinoid receptors in the body's endocannabinoid system, which is what produces a high. However, due to the location of its double-bond, delta-8 binds to those receptors in a slightly different manner than delta-9 THC, making it less potent. Beyond that, scientists aren't sure how the two compounds differ.

"No one has taken delta-8 and delta-9 and given them to healthy people and tracked the difference," said Raphael Mechoulam, a professor of medicinal chemistry at Hebrew University of Jerusalem and the former president of the International Cannabinoid Research Society. "And even the effects of delta-9 depend greatly on the dose."

Does delta-8 have medical benefits?

Delta-9 is the quintessential form of THC that has been the

subject of clinical trials for everything from multiple sclerosis to memory retrieval. According to Piomelli, because delta-8 and delta-9 THC have such a similar molecular structure, the two compounds would theoretically produce similar medical benefits, but there isn't any strong data to prove that is true.

"Very few people have taken pure delta-8 and reported it. People use it for a long list of ailments, but there are very few clinical trials," Mechoulam said.

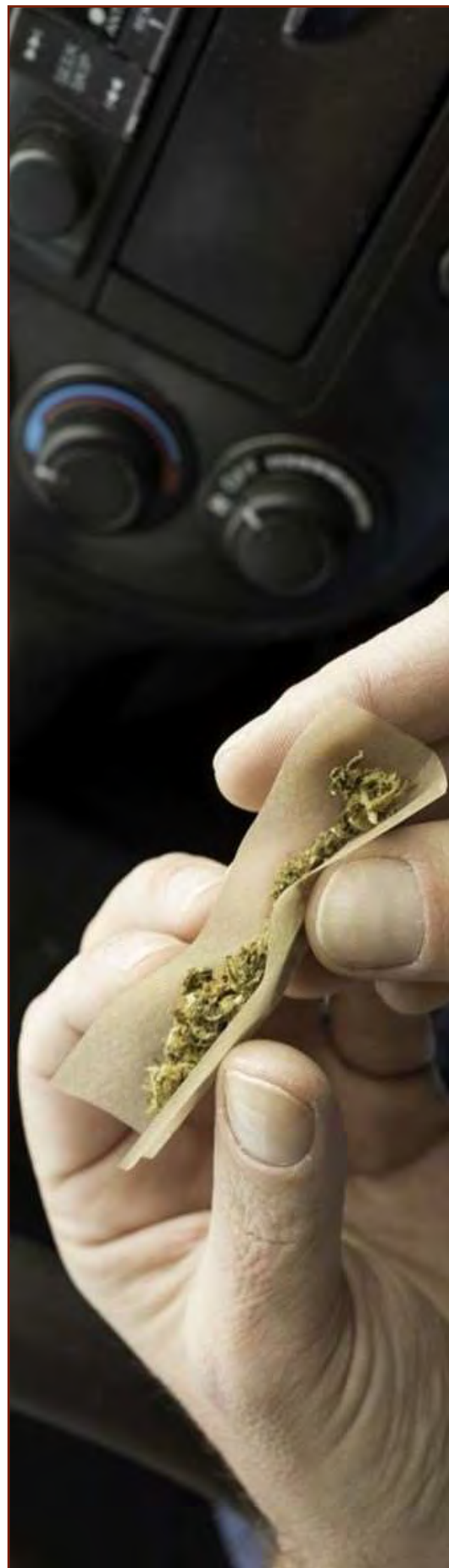
Clinical trials are the gold standard of medical research and so far, only one very small clinical trial has been conducted on delta-8 THC. In 1995, Mechoulam and his colleagues administered the compound to eight pediatric cancer patients two hours before each chemotherapy session. Over the course of eight months, none of these patients vomited following their cancer treatment, the study found. Newer research has also tested cannabis' ability to curb nausea in cancer patients, with promising results, however, other chemicals in the cannabis plant may be at play.

According to Mechoulam, delta-8 THC is a more stable compound than the more well-studied delta-9. This could make delta-8 THC a better candidate than delta-9 THC for new therapeutics — if future research shows it to be medically beneficial.

Sullivan, K. (2021, June 28). *Delta-8 THC is legal in many states, but some want to ban it.* NBCNews.com. <https://www.nbcnews.com/health/health-news/delta-8-thc-legal-many-states-some-want-ban-it-n1272270#anchor-Doesdelta8havemedicalbenefits>.

"Lives Are At Stake Every Time You Get Behind The Wheel. Plan Ahead. Don't Drive High."

- Colorado Department of Transportation



Oregon Driver Tests 9X Over The Legal Limit

WARM SPRINGS, Ore. — An Oregon driver had a blood-alcohol level nine times the legal limit Friday after crashing into a concrete barrier on the highway, investigators said.

Warm Spring police said the driver, who has not been identified, was involved in a hit-and-run around 1 p.m., KTVZ reported.

The driver was headed in the direction of Warm Springs, where police pulled over the vehicle. Investigators said the driver was “highly intoxicated” and fled. The driver led officers on a short pursuit before losing control and crashing into a concrete barrier about a half-mile away from the initial stop.

The driver’s blood-alcohol level tested at .77, which is nine times higher than the legal limit, police said. The driver already had a suspended license for a misdemeanor DUI charge, police said.

The driver was taken to a hospital for evaluation. Charges are pending.

*Fox 23 News – Jared Leone
February 22, 2021*

Minnesota State Patrol

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For future training opportunities, please refer to:

www.dps.mn.gov/divisions/msp/about/Pages/law-enforcement-training.aspx

