## **Use of Oral Fluid to Detect Drugged Drivers**



# ORAL FLUID FIELD SCREENING (OFFS)

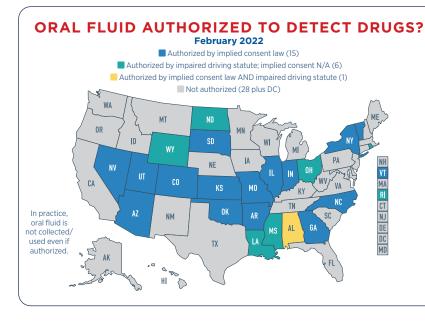
- Portable & handheld options available
- Easy & fast collection
- · Minimally invasive, similar to breath test
- Gender neutral collections
- Rapid results (≤ 10 minutes)
- Demonstrated accuracy, sensitivity & specificity
- Used in conjunction with other evidence to build probable cause for arrest decision
- Quickly identifies potential polydrug impaired drivers (regardless of BAC level)
- Results may support search warrant requests for additional biological samples
- Follow manufacturer instructions/guidelines
- · Admissible in hearings like those on probable cause

### LABORATORY TESTING

- Easy & fast collection
- Less invasive compared to blood & urine collection
- Collection close to the time of driving (e.g., at roadside)
- Gender neutral collections
- Less expensive to collect than blood
- Likely represents recent drug use
- Often increased detectability of drugs with rapid elimination from blood
- · Difficult to adulterate
- Detects pharmacologically active, or impairing drugs (e.g., THC, cocaine)
- Laboratories use validated and accepted analytical techniques and instruments
- Admissible in all court proceedings; evidentiary

### WHEN TO COLLECT ORAL FLUID DURING AN INVESTIGATION





## Interested in starting a program in your state?

#### Stakeholders to consult:

- Law Enforcement
- Toxicology Personnel
- Traffic Safety Resource Prosecutor(s)
- SFST & DRE State Coordinators
- Judiciary Representatives
- Device Manufacturers
- Local Impaired Driving Groups
- Researchers and/or Data Analysts
- State Highway Safety Office
- · Probation Personnel
- State Public Health Agency
- · Driver Licensing Officials

#### Pilot Project guidelines:

soft-tox.org/files/2014 OF Pilot.pdf

### **ADDITIONAL RESOURCES**

- AAA Foundation for Traffic Safety | www.aaafoundation.org
- Alabama Department of Forensic Sciences | www.adfs.alabama.gov/services/tox/toxicology-oral-testing-program
- DRE Program | www.theiacp.org/projects/the-international-drug-evaluation-classification-program
- National Safety Council | www.nsc.org/work-safety/get-involved/divisions/alcohol-drugs-and-impairment
- Traffic Safety Resource Prosecutor List | ndaa.org/programs/ntlc/commercial-drivers-license/traffic-safety-resource-prosecutor-list
- Society of Forensic Toxicology FAQs | www.soft-tox.org/files/2018%200F FAQ FINAL.pdf

<sup>&</sup>lt;sup>1</sup> Oral fluid field screening (OFFS) and preliminary breath test, if applicable.

<sup>&</sup>lt;sup>2</sup> Based on totality of investigation.

<sup>&</sup>lt;sup>3</sup> First seek consent. If no consent, are there exigent circumstances? If none, can you apply for a warrant?

#### **IMPORTANT TERMS**

**Approved Training:** Training by the manufacturer of a device and or an authorized agency.

**Confirmatory Testing:** A test resulting in a definitive result that verifies the presence of a specific drug; typically using mass spectrometry techniques.

**Drug:** Any substance that, when taken into the human body, can impair the ability of the person to operate a vehicle safely.

**Limit of Detection (LOD):** Lowest quantity of a drug in a sample that can be identified.

**Metabolite:** Any substance produced during metabolism (synthesized or broken down from a parent drug).

**Method:** An orderly and systematic approach to analyze a biological sample for the presence of drugs.

**Observation Period:** The operator of a device must watch the subject for at least ten minutes prior to the administration of the screening device in accordance with manufacturer's guidelines.

**Oral Fluid:** A clear, tasteless fluid comprised of saliva produced by multiple salivary glands, and other constituents inside the mouth.

**Parent Drug:** A drug administered in its original form that is typically pharmacologically active (e.g., Delta-9-THC, cocaine).

**Per Se Law:** Statutory assignment of a specific concentration of a drug in a biological sample at or above which is an offense to drive.

**Pharmacodynamics:** How the drug affects the body.

Pharmacokinetics: What the body does to a drug.

**Presumptive Positive Result:** A qualitative result that indicates the presence of the drug, its metabolite, or a cross-reacting substance but does not indicate level of intoxication, route of administration, or concentration.

**Quantitative:** A result reported as a concentration (e.g., 1000 ng/mL) indicating how much of a drug is present.

**Screening:** A qualitative analysis to determine the presence of a drug or drug class typically by immunoassay-based techniques. All positive findings are presumptive until confirmed by a more specific technique (e.g. mass spectrometry).

**Uncertainty of Measurement:** Inherent variation associated with any analytical measurement denoting a best estimate of how far a quantity might be from true value.

### IMPORTANT STUDIES TO KNOW

#### **Reviews**

Desrosiers NA, Huestis MA. Oral fluid drug testing: Analytical approaches, issues and interpretation of results. J Anal Toxicol. 2019 Jul 24;43(6):415-443. doi: 10.1093/jat/bkz048.

#### **Evaluation of roadside oral fluid test devices**

Logan BK, Mohr AL, Talpins SK. Detection and prevalence of drug use in arrested drivers using the Dräger Drug Test 5000 and Affiniton DrugWipe oral fluid drug screening devices. J Anal Toxicol. 2014 Sep;38(7):444-50. doi: 10.1093/jat/bku050.

Edwards LD, Smith KL, Savage T. Drugged driving in Wisconsin: Oral fluid versus blood. J Anal Toxicol. 2017 Jul 1;41(6):523-529. doi: 10.1093/jat/bkx051.

Newmeyer MN, Swortwood MJ, Andersson M, et al. Cannabis edibles: Blood and oral fluid cannabinoid pharmacokinetics and evaluation of oral fluid screening devices for predicting  $\Delta 9$ -Tetrahydrocannabinol in blood and oral fluid following cannabis brownie administration. Clin Chem. 2017 Mar;63(3):647-662. doi: 10.1373/clinchem.2016.265371.

Rohrig TP, Moore CM, Stephens K, et al. Roadside drug testing: An evaluation of the Alere DDS\* 2 mobile test system. Drug Test Anal. 2018 Apr;10(4):663-670. doi: 10.1002/dta.2297.

Veitenheimer AM, Wagner JR. Evaluation of oral fluid as a specimen for DUID. J Anal Toxicol. 2017;41(6):517-522. doi: 10.1093/jat/bkx036.

## **Effect of drugs on driving**

Bogstrand ST, Gjerde H. Which drugs are associated with highest risk for being arrested for driving under the influence? A case-control study. Forensic Sci Int. 2014 Jul;240:21-8. doi: 10.1016/j. forsciint.2014.03.027.

Society of Forensic Toxicologists, Inc. Drugs and Driving Literature. www.soft-tox.org/duid literature

#### Support of oral fluid for DUID testing

Truver MT, Palmquist KB, Swortwood MJ. Oral fluid and drug impairment: Pairing toxicology with drug recognition expert observations. J Anal Toxicol. 2019 Sep 10;43(8):637-643. doi: 0.1093/jat/bkz075.

Arroyo A, Marrón MT, Leal MJ, Vidal C. Oral fluid and driving under the influence of drugs (Duid): A Brief Review. Int J Forensic Sci Pathol. 2015 Jun;3(5):127-135.

Logan BKL, D'Orazio AL, Mohr ALA, et al. Recommendations for Toxicological Investigation of Drug-Impaired Driving and Motor Vehicle Fatalities—2017 Update. J Anal Tox. 2017; 2017;1–6 doi: 10.1093/jat/bkx082

## **Christine Moore**

Ph.D., DSc DABCC FAACC President

9 Delta Analytical LLC christine.moore@9-delta.com

## Bill Lindsey, Esq.

Traffic Safety Resource Prosecutor

Office of Prosecution Services

william.lindsey@alabamada.gov

## Curt E. Harper

Ph.D., F-ABFT
Chief Toxicologist
Alabama Department of
Forensic Sciences

curt.harper@adfs.alabama.gov

#### Jennifer R. Knudsen, Esq.

Traffic Safety Resource Prosecutor
Colorado District Attorneys' Council jen@cdac.state.co.us