

Regional Toxicology Liaison - Quarterly Reflection and Progress Report

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In the inaugural year of the RTL project, much has been accomplished but still much more needs to occur. In each of the three regions, every lab has been contacted, and meetings have been held either virtual, in-person, or both. As predicted, each laboratory faces challenges unique enough that it is impossible to determine one solution for all laboratories. As we move into 2023, the RTLs will begin drilling down to why each lab faces specific barriers and issues and work to address them.

Supply chain issues persisted throughout the last quarter of 2022. Region 7 RTL, Chris Heartsill, successfully found an alternate gray top tube and headspace vial vendor. Finding another vendor will alleviate the bottleneck labs and law enforcement experienced when procuring gray top tubes for legal blood draws. Chris is working with labs to validate the gray top tubes from the new supplier and will look to publish the findings in a peer-reviewed journal. While the new vendor is not FDA-approved, they are seeking this approval. The forensic community does not engage in FDA-regulated testing. However, this is often a point that is brought up in questioning the reliability and validity of gray top tubes for DUID casework.

Region 9 RTL, Kristen Burke, continues to meet with various partners to outline and strategize the University of California DUID Surveillance Project. This project will model the work NHTSA has done with Level 1 Trauma Centers and the collection of blood samples from drivers involved in crashes. The RTL project will monitor the progress of the UC-Davis work to see if it can serve as a model for other states to run surveillance efforts in DUID.

Feedback from the laboratories on the need for training continues. In response, Region 5 RTL, Sabra Jones, created, organized and executed a training course for the Indiana State Department of Toxicology with the assistance of the other two RTLs. This was a one day, in-person training which focused on courtroom testimony. Topics included alcohol and drug impairment, Drug Recognition Expert (DRE) information and update and a legal update from the Traffic Safety Resource Prosecutors (TSRP). Sabra requested feedback from the Indiana lab post-training. The responses were overwhelming that the training should be longer and continue with a virtual component. The laboratory appreciated that Sabra consulted with them prior to the training to understand their needs and tailored the content so that it was specific for their lab and their needs. The RTLs and the Project Manager will convene while at the American Academy of Forensic Sciences (AAFS) annual meeting in February in Orlando to compile the curriculum for the testimony training so that it may be disseminated and taught to the rest of the labs in each of the three regions throughout 2023.

The Michigan State Police lab has placed its new THC method into production. Follow-up conversations with their lab have been very positive. They are incredibly grateful to the RTLs for their support and assistance.

The Center for Forensic Science Research & Education (CFSRE) contacted the Project Manager requesting assistance in expanding a current DUID surveillance project. The RTLs met with Mandi Mohr, the lead researcher in a current National Institute of Justice (NIJ) funded project to discuss the inclusion of labs within NHTSA regions 5, 7, and 9 into the current research project. A summary document is written, and the RTLs are messaging the project to the labs in their regions requesting they participate in the DUID surveillance work.

Please see the Appendix for a complete list of activities related to the project

Project challenges:

The Buy America Act continues to challenge labs wanting to purchase instruments with specific highway safety funds. The Centers for Disease Control (CDC) has announced that the Overdose to Action (OD2A) funding will be renewed. The RTLs will look at OD2A funds as a resource for labs to procure new instrumentation. The CDC will provide guidance to the RTLs on how best to advise labs in moving forward in their funding requests.

The RTLs continue to receive requests for assistance from Regions that are not included in this project. A few of those requests include the following:

-North Dakota – the laboratory has requested specific assistance with proposed legislation specific to the laboratory. The legislation would remove the lab from its independent stance and move it under the Bureau of Criminal Investigation, a law enforcement agency. This move contradicts the findings of the National Academy of Sciences recommendation that all forensic science laboratories be unbiased and not aligned with law enforcement in any way.*

-Colorado – the TRSP continues to reach out to the RTLs for various recommendations and feedback on DUID related topics.

-Massachusetts – Requested Sabra Jones continues to serve as a subject matter expert on the Forensic Science Oversight Board

-Maryland – the laboratory is seeking guidance on hiring a new director or leader. They also requested information on training opportunities.*

*Those items with an asterisk have been funneled to the Project Manager with some guidance and input from the RTLs as their schedules are full for work in their respective regions. The Project Manager has been assisting states outside of the current region scope to provide support to all states and laboratories.

Appendix

R5 Q4 Activities:

Recurring meetings:

ASB Comment Adjudication 173 (Standard for Education and Training of Forensic Toxicology Personnel) meeting and ASB Consensus Body meeting (monthly)

ASB/OSAC Leadership Monthly Meetings

National Safety Council, Alcohol, Drugs, and Impairment Division (ADID)

- Cannabis Section meeting

- Executive Board meeting

- Model DUI Laws Ad Hoc Committee

- NSC-ADID Leadership Meeting

- Biannual ADID meeting (Cleveland, Nov 2022)

- NSC Webinar Meetings

R5 Quarterly Impaired Driving Working Group meeting

Illinois Impaired Driving Conference Pre Meetings

Illinois Highways Safety Planning Committee Meetings

Minnesota Office of Traffic Safety meeting Bi-weekly

Minnesota DWI Taskforce Meeting

Minnesota DFW Taskforce Cannabis and Legislation Subcommittee Meetings

Michigan-Cannabinoid Method Validation Assistance (Several Meetings)

Wisconsin Toxicology Summit Pre-meetings

Massachusetts FOSB and Subcommittee meetings

Indiana Impaired Driving Conference Preparation Meetings

AFDO/FOCUS-Federal Regulatory Framework Cannabis Bi-Weekly Meetings

Current Trends in Forensic Toxicology Symposium Preparation Meetings

SOFT/AAFS Oral Fluid Committee-Survey Update

Single events:

RTL Oral Fluid Summit (virtual) – Planned and moderated

Northeastern Association of Forensic Sciences (NEAFS) Annual Meeting, Niagara Falls (presenter-RTL Program)

Wisconsin Toxicology Summit, Madison, WI

Wisconsin Impaired Driving Workgroup

Midwest Impaired Driving Conference – assisted in planning/organizing, moderated and presented

Midwest Toxicology Collaborative-Round Table

SOFT Toxicology Resource Committee Laboratory and Academia Internship to Partnerships Webinar (virtual) – Planned and moderated

Collaboration meeting with University of Iowa, National Advanced Driving Simulator

Testimony Training, Indianapolis, IN – one day training event for Indiana state toxicology lab

Massachusetts FSOB Symposium-Presentation on Recommendations on Professional Negligence and Misconduct (in Forensic Science)

National Advanced Driving Simulator Automotive Toxicology Meeting (Iowa)

R7 Q4 Activities:*Recurring:*

LEL/IACP Information Sharing meeting
R7 Monthly State conference call
Missouri Impaired Driving Subcommittee meeting
National Safety Council – Alcohol Drug and Impairment Division – Model DUI Law meeting

Single event:

Oral Fluid Summit (virtual) – moderated
TIRF Annual DWI Working Group meeting, Savannah, GA
Arkansas Opioid Summit – presenter
National Judicial College Fall Judges Conference – presenter
State of Nebraska laboratory visit
IACP DRE TAP 2022 Annual Meeting
Met with FARS analyst – State of Kansas
State of Kansas Annual DUI Conference - presenter
SOFT RTL Update, Cleveland, OH – presenter
Collaboration meeting with University of Iowa, National Advanced Driving Simulator
Iowa Impaired Driving Task Force meeting
California Association of Toxicologists (CAT) fall meeting – presenter
Testimony Training, Indianapolis, IN – one day training event for Indiana state toxicology lab

R9 Q4 Activities:*Recurring meetings:*

California Impaired Driving Task Force meetings
California Highway Patrol, NHTSA, Office of Traffic Safety meetings
UC Davis Surveillance Project meetings

Single events:

Oral Fluid Summit (virtual)
SOFT RTL Update, Cleveland, OH – presenter (Oct)
Testimony Training, Indianapolis, IN – one-day training event for Indiana state toxicology lab (Dec)
Kern County laboratory site visit. (Dec)
California Association of Toxicologists fall meeting (Dec)
LEL/IACP Sharing Meeting (Oct)
In-Person Hawaii Lab plan visit in Honolulu, HI (Oct)
Meeting with Tara (NHTSA) and R9 on the DUID study (Dec)
OTS, CHP, and NHTSA meeting regarding updates on lab gap analysis (CA)
NSC-ADID Model DUID Law Meeting (Dec)