DRUG RECOGNITION EXPERTS

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Alberta Provincial DRE Coordinator + RCMP DRE Agency Coordinator
TOPICS FOR DISCUSSION: DRUG IMPAIRED DRIVING

✓ PROVIDE: Canadian context - current laws
✓ DEFINE: Standardized Field Sobriety Tests (SFST)
✓ DEMONSTRATION: SFST
✓ INTRODUCE: Signs/grounds for drug influenced/impaired driving
✓ DEFINE: Drug Recognition Expert (DRE)
✓ INTRODUCTION: DRE process
✓ INTRODUCE: Upcoming changes
✓ OUTLINE: The future of impaired driving
IMPAIRED DRIVING

• 1:10+ drivers on the road have alcohol in their system (Thursday to Sunday nights) **NOTE: 1 out of 14 is over 80 mg%

• IACP study: The average alcohol impaired driver will drive impaired 80 times per year

• Alcohol impaired driving rates = drug impaired driving rates

• In 2004 impaired driving cost Canadian society $63 BILLION (comprehensive cost)
2.9 United Kingdom
3.8 Norway
6.0 Canada - 2014, road crashes claimed 2,297 lives
10.6 USA
36.2 Thailand

* WHO Member States with a population of less than 90,000 in 2015 who did not participate in the survey for the Global status report on road safety 2015 were not included in the analysis.
**CANADIAN CONTEXT**

*Impaired driving is the leading cause of crime related death in Canada*

Based on testing of fatally-injured drivers, it is estimated that 1,273 of these deaths resulted from crashes in which an individual was positive for alcohol and/or drugs.

Section 253 Criminal Code
- Impaired by alcohol and/or drug

Preventative measures
- Alberta CheckStop Program
- D.A.R.E.
STOP ALL IMPAIRED DRIVING

Pro-active detection and deterrence
  - Education
  - Health
  - Enforcement

Current resources and tools
  - Intox EC/IR II
  - SFST
  - DRE
  - Basic Investigations
  - Toxicological analysis
  - Approved Drug Screening Devices
CANADIAN HISTORY

1920 - Alcohol prohibition ends mostly*

1921 - Driving while Intoxicated by Alcohol. Summary Offence. Sobriety tests

1925 - Driving while Intoxicated by a Drug. Summary Offence. Care and Control

1930 - Driving while Intoxicated by alcohol and/or drug. Hybrid Offence

1954 - 1st Voluntary Alcohol ‘Breathalyzer’

1969 - Over 80mg% Impaired driving law +Breath Demand

1976 - Approved Screening Devices- alcohol

1995 - Drug Recognition Expert-DRE and Standardized Field Sobriety Test-SFST

2008 - DRE and SFST became law +Demand

2018 - October 17th Cannabis prohibition ends
APPROVED SCREENING DEVICE: ALCOHOL

Reasonable suspicion alcohol is in a driver's body

• Pass – clear to drive
• Warn – 3 day suspension and vehicle seizure
• Fail – Arrested for further testing
CANADA CALLS IT CANNABIS

THC is the psychoactive substance of the Cannabis plant

THC: Delta-9-tetrahydrocannabinol
WHAT IS A **DRUG**?

In relation to Impaired Driving Investigations:

- ANY substance, that when taken into the body impairs a person’s ability to drive.
DRUG IMPAIRMENT OR MEDICAL PROBLEM?

• Some signs of medical distress may look like drug use

• Eye evaluations help separate medical distress from signs of drug use.

• Immediate medical attention if an overdose is suspected

Some Examples:
• Head Trauma
• Stroke
• Diabetes
• Shock
• Multiple Sclerosis
• Being in a collision (one pupil bigger than other)
Reasonable suspicion to believe drugs in body

Some Examples:

- Odour of cannabis from the driver
- Glass pipes & lighters, needles/rigs
- Prescription bottles in vehicle
- Delayed reactions, disoriented, droopy eyes, constricted/dilated pupils, slurred speech
- Admission (prescription meds)
OBSERVATIONS AND BEHAVIOUR

- Body/leg/eyelid tremors
- Chemical odours
- White powder around mouth or nose
- Burnt or discoloured fingers, teeth, or lips
- Bruxism
- Fresh injection marks
- ‘On the nod’
- Erratic or delayed behaviour
- Strange statements
CANADIAN HISTORY: SOBRIETY TESTING

1921 - 1975 - Police use various investigative techniques to determine sobriety

1975- NHTSA began research to create a standard impaired driving detection process


1995- Police in Canada host training on SFST and DRE: voluntary basis.

2008- DRE and SFST became law +Demand created

2018- Testing of Approved Drug Screening Equipment
STANDARDIZED FIELD SOBRIETY TEST (SFST)

- Detect drug and/or alcohol impairment

- OBJECTIVE observations of non-sober behaviour through physical coordination tests

- SFST trained members use 3 validated tests to determine impairment

- Used to mimic divided attention driving tasks
STANDARDIZED FIELD SOBRIETY TEST (SFST)
DEMONSTRATION

- Horizontal Gaze Nystagmus Test
- Walk and Turn Test
- One Leg Stand Test
STANDARDIZED FIELD SOBRIETY TEST (SFST)

• If a person **performs well** they are **cleared** to drive away

• If a person **is determined to be impaired** they are **arrested** for impaired driving and a DRE is called
DRUG RECOGNITION EXPERT (DRE)

- Are specially trained police officer that uses a 12 step multi-National standardized and systematic evaluation process

- Used when police have reasonable and probable grounds that a driver is impaired at a criminal level
DRE: 12 Step Protocol

1. Breath Alcohol Test
2. Interview of the Arresting Officer
3. Preliminary Examination and First Pulse
4. Eye Examination
5. Divided Attention Psychophysical Tests
6. Vital Signs and Second Pulse
7. Dark Room Examinations
8. Examination for Muscle Tone
9. Check for Injection Sites and Third Pulse
10. Subject’s Statements and Other Observations
11. Analysis and Opinions of the Evaluator
12. Toxicological Examination
WHAT THE DRE DETERMINES

1. Is the subject impaired at the time of the evaluation?
2. Is the impairment due to a drug/medical/physiological?
3. Which category of drug(s) are most likely causing the impairment?
THE FUTURE: STARTED YESTERDAY
BLOOD: JULY 11TH, 2018

- Has the strongest evidentiary value for psycho-active drugs in the body

- New Criminal Code regulations set limits for blood drug concentrations

- Those reasonably expected of being required to provide a sample for two hours after ceasing operation or having care or control of a motor vehicle

- Applies to post collision investigations
### BLOOD

<table>
<thead>
<tr>
<th>Drug</th>
<th>Concentration</th>
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<tbody>
<tr>
<td>THC</td>
<td>5 ng/ml of blood</td>
</tr>
<tr>
<td>Lysergic acid diethylamide (LSD)</td>
<td>Any detectable level in blood</td>
</tr>
<tr>
<td>Psilocybin</td>
<td>Any detectable level in blood</td>
</tr>
<tr>
<td>Psilocin</td>
<td>Any detectable level in blood</td>
</tr>
<tr>
<td>Phencyclidine (PCP)</td>
<td>Any detectable level in blood</td>
</tr>
<tr>
<td>6-Monoacetylmorphine</td>
<td>Any detectable level in blood</td>
</tr>
<tr>
<td>Ketamine</td>
<td>Any detectable level in blood</td>
</tr>
<tr>
<td>Cocaine</td>
<td>Any detectable level in blood</td>
</tr>
<tr>
<td>Methamphetamine</td>
<td>Any detectable level in blood</td>
</tr>
<tr>
<td>Gammahydroxybutyrate (GHB)</td>
<td>5 mg/L of blood</td>
</tr>
</tbody>
</table>
IMPAIRED DRIVING LAWS: FUTURE

• Bill C-46 part 2: December 18, 2018
• Mandatory Alcohol Screening
• Increased sanctions
• Approved Drug Screening Equipment
IMPAIRED DRIVING LAWS: FUTURE

- The RCMP is increasing its capacity in the areas of prevention and engagement, intelligence, training, systems modifications and data collection, security screening, operational policy, and to provide subject-matter expertise to RCMP officers and law enforcement partners on the implementation of the Cannabis act.

- The RCMP is updating and expanding training to detect drug impaired drivers through SFST and DRE.

- The RCMP is learning from and applying the research and experiences of other police organizations that have faced the legalization of cannabis.
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