

## Regional Toxicology Liaison - Quarterly Reflection and Progress Report

*Report author:* Amy Miles, Project Manager

*Quarter reported:* January – March, 2023

---

In February, the RTLs and the Project Manager met during the annual American Academy of Forensic Sciences (AAFS) conference. During this time, the topic and speakers were selected for the annual all-region meeting in June. Due to a lack of funding and time, the laboratories have requested that the all-region meeting occur virtually. The focus of the meeting will be the AAFS Standards Board (ASB) and the standards they have published relevant to forensic toxicology. Specifically, presenters will provide information on the standards and suggestions for implementing them in their laboratories. All speakers but one is confirmed, and the RTLs will meet with the panel in late April or early May to complete the planning. The selected date and time for the all-region meeting will be 90 minutes long and is scheduled for June 22, 2023, at 9:30 am Pacific.

The laboratories continue to request training focusing on testimony for toxicologists. Building on the training framework provided in Region 5 in December, the RTLs have announced a customizable training curriculum for all laboratories in each of the three RTL regions. The American Board of Forensic Toxicologists (ABFT) has approved the course outline (see Appendix B) for continuing education credit for any ABFT-certified forensic toxicologists. As of the end of March, more than a dozen laboratories in Region 9, approximately ten laboratories in Region 7, and several in Region 5 have requested the training. The RTLs will look to schedule the training so that multiple laboratories may participate in one location. Once the trainings are scheduled, the dates and locations of each will be provided. The RTLs have received training requests from laboratories outside regions 5, 7, and 9. We are noting the requests, but we are unlikely to accommodate them now.

The first quarterly meetings for 2023 were held on March 28-30. The RTLs invited Mandi Mohr from The Center for Forensic Science Research & Education (CFSRE) to present her National Institute of Justice (NIJ) research regarding stop testing in DUI/DWI casework. Mandi discussed the desire to expand her project to include labs within NHTSA regions 5, 7, and 9. Already, several laboratories have expressed interest in sending CFSRE samples that can be included in the expanded project. The CFSRE is looking for funding to support the expanded project.

The SOFT Toxicology Resource Committee will repeat the 2021 survey they provided to laboratories nationwide. The RTLs will receive the information gathered from SOFT's survey. This will assist the RTLs in determining any changes since SOFT's previous survey and give information on stop limited testing that most laboratories employ.

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

### *Project challenges:*

The RTLs have been included in many of the NHTSA region meetings and activities, but not all and not in any consistent manner. Everyone continues to work to understand the role of the RTLs, how the cooperative agreement with SOFT dovetails into the regions, and where/when the RTLs should be included in meetings and conferences. We will persist in our availability and willingness to participate wherever appropriate. We rely on the NHTSA regional representatives to alert the RTLs of meetings and other areas where they may assist.

## **Appendix A**

### **R5 Q1 Activities:**

#### **Recurring:**

RTL weekly meetings – Wednesday each week.

Minnesota DWI Taskforce–Monthly

Minnesota Office of Traffic Safety Staff Meeting – Monthly

Illinois Impaired Driving Task Force Meeting – Monthly

National Safety Council – Alcohol Drug and Impairment Division – Model DUI Law meeting - No set time or date.

National Safety Council – Alcohol Drug and Impairment Division – Cannabis in Safety Sensitive Positions – Meet every two weeks

National Safety Council – Alcohol Drug and Impairment Division – Cannabis Section – Monthly

Academy Standards Board – Toxicology Consensus Body and Leadership Meetings – Monthly

Forensic Science Oversight Board Meeting (MA) – Monthly

#### **Past Single event:**

SOFT Toxicology Resource Committee Meeting – January 31, 2023

Michigan Prosecuting Attorney’s Association Webinar – Standards in Forensic Toxicology Related to Impaired Driving Investigations – February 8, 2023

National Safety Council Alcohol Drugs Impairment Division Meeting and Executive Board Meeting – February 2 and 12, 2023

American Academy of Forensic Sciences Meeting – February 13-17, 2023

RTL Yearly Planning Meeting – February 15-16, 2023

SOFT-AAFS Oral Fluid Committee Meeting: “RTL Update”– February 16, 2023

Minnesota DWI Taskforce-MN Society for Criminal Justice Meeting – February 28, 2023

Midwest Toxicology Collaborative-Round Table – March 1, 2023

NHTSA Collaboration with ASB Toxicology Consensus Body Meeting – March 2, 2023

London Toxicology Group Presentation “Standardization, Impaired Driving, and the US Regional Toxicology Liaison Demonstration Project” – March 3, 2023

Michigan Prosecuting Attorney’s Association Webinar – Cannabinoids in Impaired Driving – March 15, 2023

R5 RTL and JOL/SJOLs Update– March 21, 2023

R5 RTL Quarterly Meeting – March 29, 2023

Illinois Impaired Driving Task Force Meeting Presentation “Forensic Toxicology Standards Related to Impaired Driving Investigations, Drug Trends, and Model DUID Legislation Efforts” – March 31, 2023

**Upcoming Activities:**

Maryland Highway Safety Summit Presentation “Challenges in Prosecuting Cannabis Impaired Driving” – Baltimore, MD – April 12, 2023

RTL Program Update to State DRE Coordinators – Noblesville, Indiana April 16, 2023

RTL Program Update at Indiana Impaired Driving Conference – Noblesville, Indiana April 17-19, 2023

Midwest Association for Toxicology and Therapeutic Drug Monitoring Presentation “Standardization, Impaired Driving, and the US Regional Toxicology Liaison Demonstration Project” – South Lewis Center, Ohio April 20-21, 2023

Region 5 All Region Meeting – Indianapolis, Indiana April 25-26, 2023

Planning and Coordination meeting for continued Testimony Training Curriculum – ongoing with RTL Meetings

**R7 Q4 Activities:****Recurring:**

RTL weekly meetings – Wednesday each week.

R7 Monthly State conference call – Last Tuesday each month

Missouri Impaired Driving Subcommittee meeting – No set time or date. Last one was Feb 10, 2023

National Safety Council – Alcohol Drug and Impairment Division – Model DUI Law meeting - No set time or date.

Additional NSC ADID Activities – Executive Board – Secretary, member of Administrative Committee.

Society of Forensic Toxicologists – monthly Board of Directors Meetings

Additional SOFT Activities include – Chair of Membership Committee, Chair of Policies and Procedures Committee, Member of the Finance Committee, Member of the Toxicology Resource Committee, Associate Editor of ToxTalk

OSAC Toxicology Subcommittee Monthly meetings

AAFS Academy Standards Board – Working on committee updating document ASB 017 Measurement Traceability, Working on committee publishing document ASB 122 Alcohol Calculations.

**Past Single event:**

Presented to the Missouri Office Prosecution Services Webinar Series – Drug Impaired Driving: Cannabis - January 10, 2023, Narcotic Analgesics – February 21, 2023, Inhalants – March 20, 2023

Planning meeting for Kansas Drug-Impaired Driving Toxicology Meeting – February 22, 2023

American Academy of Forensic Sciences Meeting – February 13-17, 2023

National Safety Council Alcohol Drugs Impairment Division Meeting – February 12, 2023

Laboratory Accreditation Assessment for ANAB – February 2023

RTL Region 7 Quarterly Meeting (virtual) – March 28, 2023

**Upcoming Activities:**

Kansas Drug-Impaired Driving Toxicology Meeting – Topeka, KS – April 11, 2023

Planning and Coordination meeting for continued Testimony Training Curriculum – ongoing with RTL Meetings

Presenter Southwest Association of Toxicologists Annual Meeting – Shreveport, LA – April 12-14, 2023 (update on RTL and Update on ASB 122 Alcohol Calculations)

Region 7 All Region Meeting – Rogers Arkansas April 17-19

Presenter Association of Ignition Interlock Program Administrators – May 22-25, 2023 (DUID statistics and update)

OSAC Toxicology Subcommittee Meeting – Indianapolis, IN May 15-19, 2023

Missouri Office Prosecution Services Webinar Series – Drug Impaired Driving: CNS Depressants, April 20, 2023.

## **R9 Q4 Activities:**

### **Recurring:**

Weekly RTL Meetings

Monthly Meetings with NHTSA R9

Various emails with lab staff within R9

Various email communication with the RTL Group

Document preparations for RTL Group

CA Impaired Driving Task Force – upcoming in April. These are intermittent.

### **January**

Questionnaire for CA Laboratories regarding Oral Fluid testing

Reviewed IACP IDTS Conference- Toxicology Submissions for Aug Conference

Met with Luke Rodda from SFME to discuss possible grant for Oral Fluid Pilot Project

SOFT Toxicology Resource Committee Meeting

### **February**

Preparation for annual All-Regions (5,7,9) Meeting

AAFS Travel

Prepared report for SOFT Oral Fluid Committee Meeting – CA Lab Questionnaire

Met with OTS and NHTSA regarding LE Oral Fluid Questionnaire

Met with Hawaii DOH and Traffic Safety to discuss lab accreditation for Hawaii Tox Lab

Meeting with Chris Murphy R9 regarding Toxicology Stakeholders Meetings

Eliminating Impaired Driving Webinar – Abbott and Chuck DeWeese

### **March**

Met with Jennifer Davidson regarding Toxicology Stakeholder Meetings (Toxcell)

Emails to connect Lab with Green Lab training.

Scheduled some 2023 lab visits in CA to discuss the RTL testimony training program and follow-up.

SOFT Resource Directory Meeting

DUID Model Language Task Group Meeting

Drug Testing Advisory Committee Meeting

R5, 7, and 9 Quarterly Meetings

Quarterly Meeting preparation

Updated contacts for the Toxicology Resource Committee Survey

### **Upcoming**

~~April 5<sup>th</sup> – 6<sup>th</sup> NHTSA R9 Partners Meeting~~ – Contractor's attendance was canceled.

April 12<sup>th</sup> – SFME Lab Meeting

April 17<sup>th</sup> – Santa Clara Crime Lab Meeting  
April 25<sup>th</sup> - CA Impaired Driving Task Force Meeting  
April/May – Lab visits in CA  
April – Tentative - DUID Model Language Task Group Meeting  
Possibly summer months for San Diego Sheriffs Crime Lab – Testimony training  
May – CAT Meeting  
May – schedule online lab meetings with AZ and Hawaii  
June – Two-day Meeting Drug Testing Advisory Board Meeting  
Planning and Coordination of Testimony Training for requesting toxicology laboratories.

## **Appendix B**

### **Regional Toxicology Liaisons Testimony Training**

#### **Course Description:**

Forensic toxicologists are often called to provide courtroom testimony to analytical results and offer expert toxicological opinions. Per Academy Standards Board (ASB) Best Practice Recommendations 037 “Guidelines for Opinions and Testimony in Forensic Toxicology”, expert testimony should be “constrained to areas that are based upon sufficient facts or data, be a product of reliable principles and methods, and that those principles and methods are consistently applied to the facts of the case at hand”.

The Regional Toxicology Liaisons testimony course provides training modules on the following:

- ASB Best Practice Recommendations 037 Guidelines for Opinions and Testimony in Forensic Toxicology
- Drug Evaluation (DRE) and Classification Program
- Alcohol and Drug Pharmacology
- Toxicology-Poly Drug Use
- Challenging Drug(s) Cases
- Testifying to Impairment
- Case Approaches for Direct and Redirect Questions

The training program brings together forensic toxicologists, DRE(s) Instructors, Traffic Safety Resource Prosecutors, Attorneys, and Judicial Outreach Liaisons. Case examples, scientific literature that supports opinions and interpretations, as well as additional resources, will be provided to attendees to reinforce the training modules.

#### **Learning Objectives:**

After completion of this course, attendees will be able to:

- Apply ASB Best Practice Recommendations 037 “Guidelines for Opinions and Testimony in Forensic Toxicology” to formulate appropriate opinions and testimony by a toxicologist.

- Understand the components of the Drug Evaluation and Classification Program, opinions from Drug Recognition Experts, and the scientific literature that supports the program.
- Evaluate toxicological results in impaired driving cases and utilize resources to prepare for providing expert opinions and testimony.
- Prepare for courtroom testimony in collaboration with attorneys

Pre and post-assessments are conducted to collect information on the specific testimony challenges faced by attendees as well as the effectiveness of the training. Training modules can be adjusted based on the organization's and its scientists' needs.

Training Time: 8-12 hours onsite is encouraged, however virtual or hybrid may be accommodated based on the needs and capabilities of the host organization.

Certificate of Training: The certificate lists the name of the attendee, the title of the training program, the date, and the number of hours of the training.

Continuing Education Credits: The RTL Forensic Toxicology Expert Testimony Training Program has been reviewed by the American Board of Forensic Toxicologist and determined to be acceptable for submission to the ABFT for continuing education credit.