2020 SOFT/AAFS Oral Fluid Committee Survey

- 3rd Annual Survey
  - Survey was sent to 86 Toxicologists on 11/24/2020
  - Sent to labs throughout US and 1 lab in Canada
  - 61 Respondents as of 2/2/2021 (71% response rate)
  - Data included in this PowerPoint
- 1st Survey sent in 2018
Does your laboratory perform DUID Testing?

Yes: 95% (n = 57)

No: 5% (n = 3)
Which (evidentiary) specimen(s) do you typically test in DUID cases?

- Blood: n = 21, 36%
- Urine: n = 4, 5%
- Oral Fluid: 0%
- Blood and Urine: n = 34, 58%
- Blood and Oral Fluid: n = 1, 2%

Nebraska, Illinois, Oregon – Urine only. AL – Blood & OF
Does your state statute allow for oral fluid evidentiary (confirmation) drug testing DUID cases?

- Yes: 23% (n = 14)
- No: 51% (n = 31)
- I don't know: 26% (n = 16)
If so, what terminology is used in your state statute?

- Oral Fluid: n = 3, 5%
- Saliva: n = 5, 8%
- Variation of "other biological substance": n = 7, 12%
- N/A: 75%

n = 46
Has your state/jurisdiction proposed a bill change to allow for evidentiary (confirmation) oral fluid drug testing?

- Yes, it has passed: 5% (n = 3)
- Yes, but it did not pass: 4% (n = 2)
- Yes, in progress: 2% (n = 1)
- No: 63% (n = 38)
- I don't know: 27% (n = 17)
Does your laboratory offer in-house oral fluid drug evidentiary (confirmation) testing in DUID cases?

- **Yes** – Alabama, Wisconsin, California (San Francisco OCME)
  - n = 3

- **No** – 93% (n = 57)

- **I don't know** – 2% (n = 1)

Yes – Alabama, Wisconsin, California (San Francisco OCME)
If you perform oral fluid evidentiary (confirmation) testing, do you report results as quantitative or qualitative?

- Quantitative: 3%
- Qualitative: 97% (n = 59)
- N/A: 0% (n = 2)

Qualitative - Alabama
What collection device is used to collect oral fluid confirmation specimens?

- Quantisal: 5%
- Intercept: 0%
- Ora-Eze: 0%
- N/A: 95%
- Other (please specify): 0%

n = 57
If not fully implemented, has your laboratory started developing and/or validating oral fluid drug evidentiary (confirmation) testing?

- Yes – in progress: California, New York, Ohio
- Yes – completed: Wisconsin, Alabama

- No
- I don’t know

n = 56

92%
If not, does your lab outsource oral fluid drug evidentiary (confirmation) testing to a reference laboratory (e.g. NMS Labs, Forensic Fluids) on a routine basis? [referring to casework, not pilot project samples]

- Yes: 62% (n = 38)
- No: 38% (n = 23)
- N/A
Does your state statute allow for oral fluid roadside screening by law enforcement?

- Yes: 12 (20%)
- No: 27 (45%)
- N/A: 22 (35%)
Has your state/jurisdiction conducted and completed an oral fluid pilot project?

- Yes: 13% (n = 8)
- Yes, but there are not sufficient governing rules or guidelines in place at this time: 8% (n = 5)
- Planned, but not started: 8% (n = 5)
- In progress: 3% (n = 2)
- No: 38% (n = 23)
- I don't know: 28% (n = 18)
If so, was it in conjunction with your DRE program?

- Yes: 16 (37%)
- No: 2 (3%)
- N/A: 43 (70%)

Total responses: 61
If so, was it in collaboration with your Traffic Safety Resource Prosecutor?

- **Yes**: 20% (n = 12)
- **No**: 10% (n = 6)
- **N/A**: 70% (n = 43)
If so, did it involve comparing oral fluid roadside devices to confirmation specimens?

- Yes – we compared oral fluid roadside device results to oral fluid confirmations: n = 2 (12%)
- Yes – we compared oral fluid roadside device results to blood confirmations: n = 3 (18%)
- Yes – we compared oral fluid roadside device results to urine confirmations: 0%
- Yes – we compared oral fluid roadside device results to multiple specimen confirmations: n = 6 (36%)
- We evaluated OF roadside devices without a comparison to confirmation specimens: n = 6 (36%)
Does law enforcement in your jurisdiction use oral fluid roadside screening devices to establish probable cause (e.g. similar to PBT for alcohol)?

- Yes – Arizona, Alabama, Michigan, Ontario; Yes, but – Indiana, New York, Oklahoma
- No
- I don’t know
Approximately how many OF screening devices are being used by law enforcement?

- None: 57% (n = 33)
- <6: 2% (n = 1)
- 6-12: 2% (n = 1)
- 13-25: 0% (n = 1)
- 26-50: 0% (n = 1)
- 51-100: 0% (n = 1)
- >100: 38% (n = 22)
- I don't know: 0% (n = 1)

<6 – Oklahoma, 6 thru 12 – Alabama, >100 - Michigan
If so, which oral fluid roadside screening device(s)?
[Select all that apply]

- Draeger DT5000: 7%
- Alere SoToxa (fka DDS2): 11%
- DrugWipe: 0%
- Randox Multistat: 2%
- N/A: 80%
- Other device (please specify): 0%

2 Programs have approved device lists (Oklahoma, Alabama)
Does your state have an approved list of roadside oral fluid screening devices (e.g. DT5000, SoToxa)?

- Yes – Alabama, Oklahoma, Ontario
  - n = 3
  - 5%

- No
  - n = 36
  - 61%

- I don't Know
  - n = 21
  - 34%

Yes – Alabama, Oklahoma, Ontario
Has your state/jurisdiction had a Daubert or Frye hearing related to roadside oral fluid testing (e.g. DT5000, SoToxa for probable cause)?

- Yes
  - California (DT5000) n = 1
- No n = 32
  - 54%
- I don't Know n = 27
  - 44%

2%
Has your state/jurisdiction had a Daubert or Frye hearing related to oral fluid testing evidentiary (confirmation) testing?

- **Yes**
  - 0%

- **No, but our agency has testified in oral fluid DUID cases**
  - 5%

- **No**
  - 53%
  - n = 33

- **I don’t Know**
  - 43%
  - n = 26

No, but – Alabama
Are you familiar with the SOFT OF Committee?

- **Yes**: 34 (56%)
- **Yes, and I have read the OF FAQ and Pilot Project Guidelines on the SOFT Website**: 19 (32%)
- **No**: 7 (12%)