

# NAVIGATING CHALLENGES IN THE LEO'S CANNABIS CASE TESTIMONY

CHALLENGES - A LAW ENFORCEMENT PERSPECTIVE



Seattle PD Officer Jon Huber





# Who is this Jon Huber Guy?

Officer Jonathon Huber has served with the Seattle Police Department since 1998 and is currently the Impaired Driving Training Coordinator. A Drug Recognition Expert since 2005 and a DRE instructor since 2006, he has trained law enforcement, prosecutors, and judges nationwide. He was also the Washington State DRE Field Certification coordinator from 2006 to 2016.

Seattle PD – 26+ years (just 4ish to go...)  
DUI from the jump (no OT, \$\$\$)  
DRE 2005/Instructor 2006  
Currently LEL, DRE Regional Coordinator,  
DRE advisory board.  
Five SPD Green Labs, plus some others.

\*\*\*Not Legal council or adviser. Strictly my opinion and as I'm frequently reminded by my wife, I'm often wrong.



# The History of Cannabis in Washington State

2007 & 2010

Senate Bills 6032 & 5798 amend Initiative 692.

2011

Initiative 692  
State legal for medical  
for (CO)

1998

Initiative 692 – Nov 3<sup>rd</sup> - Medical Marijuana Measure approved by voters

2011

Senate bill 5073 establishes the State LCB - Liquor Cannabis Board

The following Monday, Nov 9th – SPD said we need help!

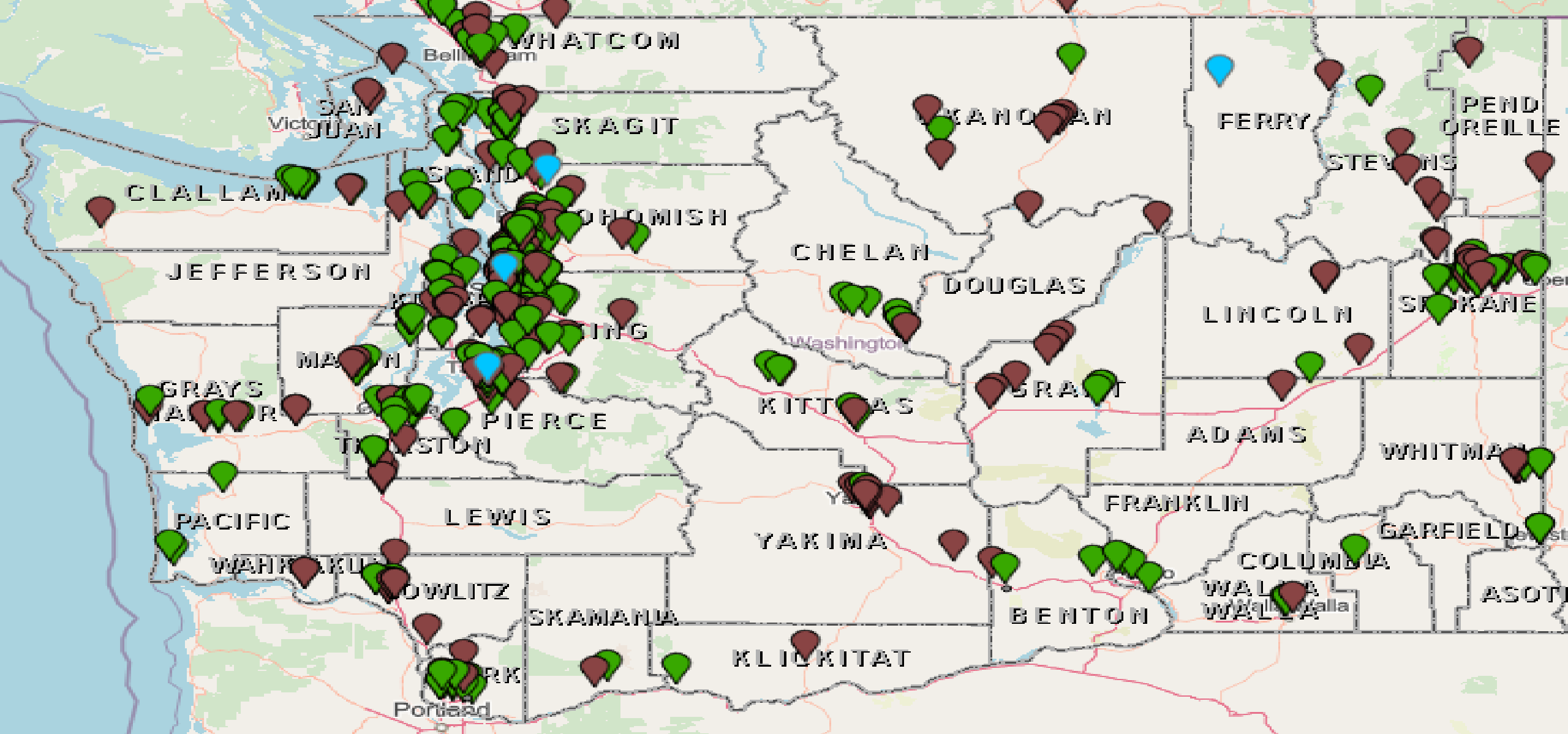
First Legal (taxed) sales of Cannabis occur in July 2014.

House Bill 1210 - word "Marijuana" stricken from all government documents.

First year Daily or near daily cannabis use is greater than alcohol use.



**POP QUIZ – Who purchased the first legal weed in WA STATE???**



485 Retailer Licenses – as of March 2025

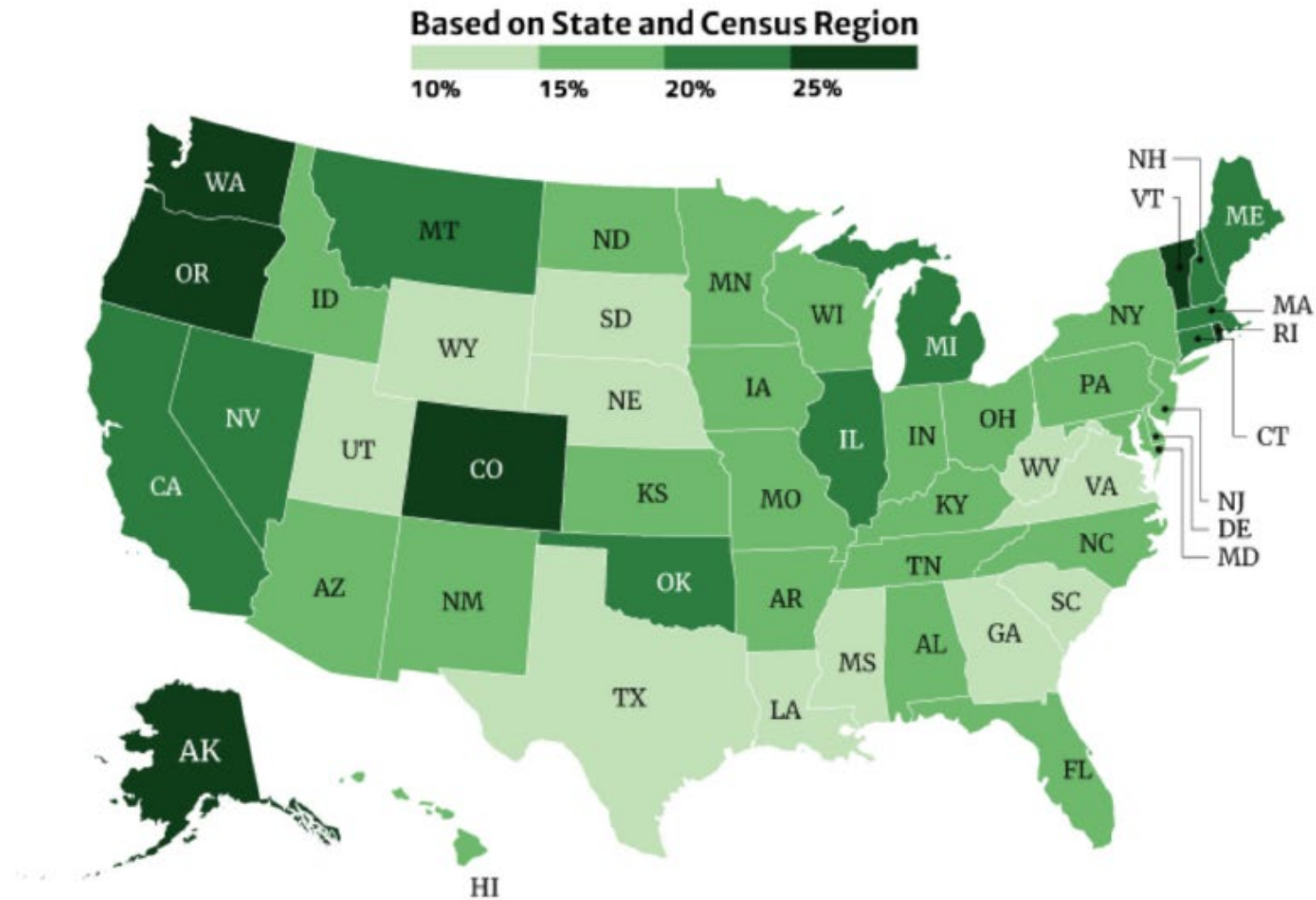
Green = Cannabis Retailer & Medical Cannabis Endorsement

Maroon = Cannabis Retailer

Blue = Social Equity Cannabis Retailer

\*Washington State Liquor and Cannabis Board

# STATES THAT SMOKE THE MOST WEED

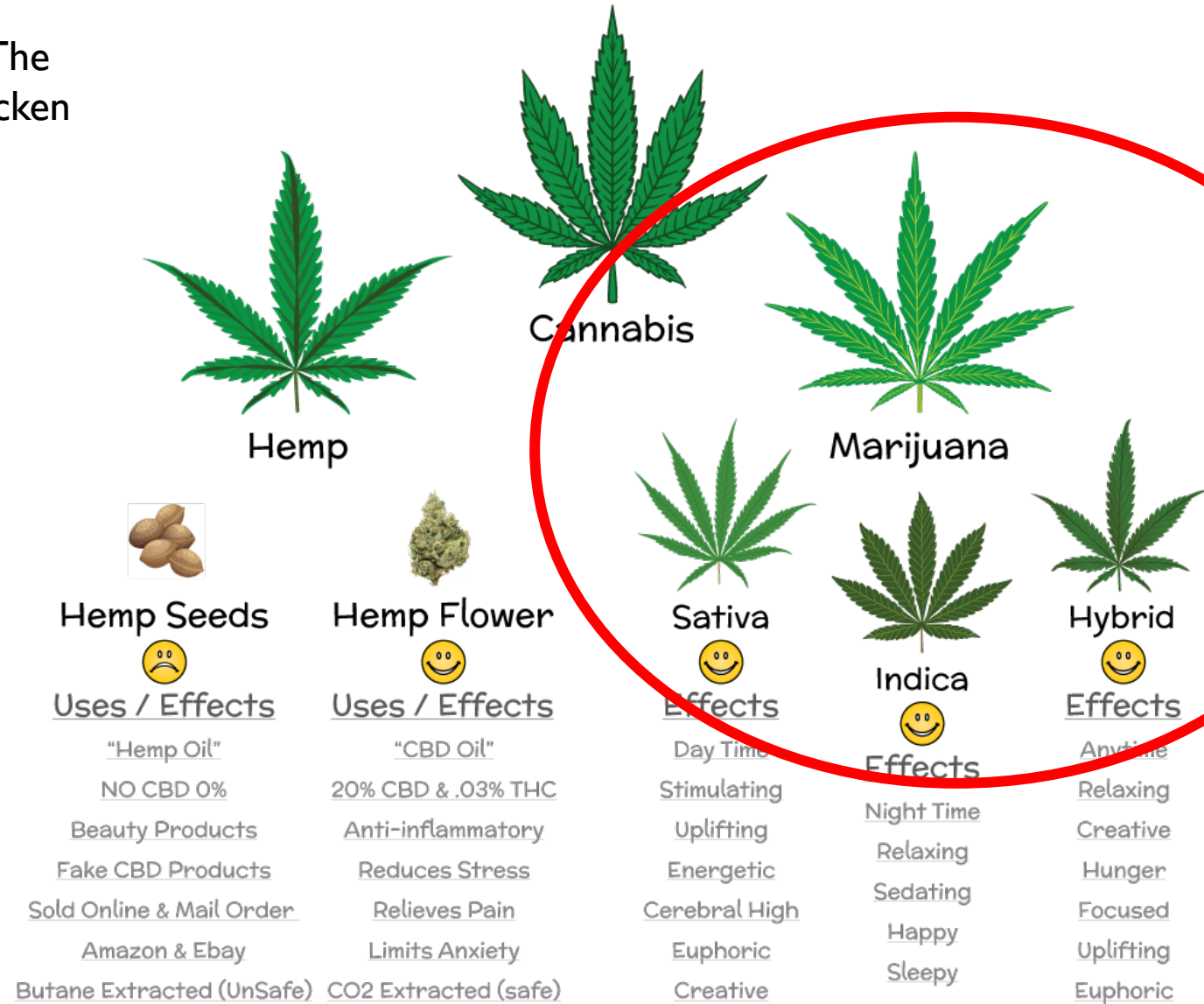






## A HAZY OVERVIEW: A BRIEF CANNABIS INTRODUCTION

WA State HB1210 – The term Marijuana is stricken from government documents.







TRICHOMES – THE RESIN CONTAINING DELTA 9 - THC



# FORMS OF CANNABIS

## Flower – 10 to 38% THC

- Joints, bongs, pipes, etc.

## Oils - 40 to 70% THC\*

- Vapes, drinks, cooking/baking,

## Concentrates – 80 to 99.997% THC\*

- Shatter, wax, rosin, budder/badder, resin

\*some use/contain THC-A to achieve these high levels



# FLOWER

\*ARTICLE ON “9 WAYS TO SMOKE”

## ROLLING UP:

- Blunts
- Joints
- Cones

## PIPES:

- One-hitter
- Water Pipe
- Bubbler
- Bong
- Vaporizer – Dry herb pen, tabletop

\*No, I’m not missing one, this is what the article offered! 🚫🚫🚫🚫 8 ways





OILS –  
Disposable Vaporizers  
Cartridges  
Edibles  
Topicals

# CANNABIS CONCENTRATES



## CRUMBLE

Dried oil with a honey-comb like consistency



## BADDER/BUDDER

Concentrates whipped under heat to create a cake-batter like texture



## SHATTER

A translucent, brittle, & often golden to amber colored concentrate made with a solvent



## DISTILLATE

Refined cannabinoid oil that is typically free of taste, smell & flavor. It is the base of most edibles and vape cartridges



## CRYSTALLINE

Isolated cannabinoids in their pure crystal structure



## DRY SIFT

Ground cannabis filtered with screens leaving behind complete trichome glands. The end-product is also referred to as kief



## ROSIN

End product of cannabis flower being squeezed under heat and pressure



## BUBBLE HASH

Uses water, ice, and mesh screens to pull out whole trichomes into a paste-like consistency

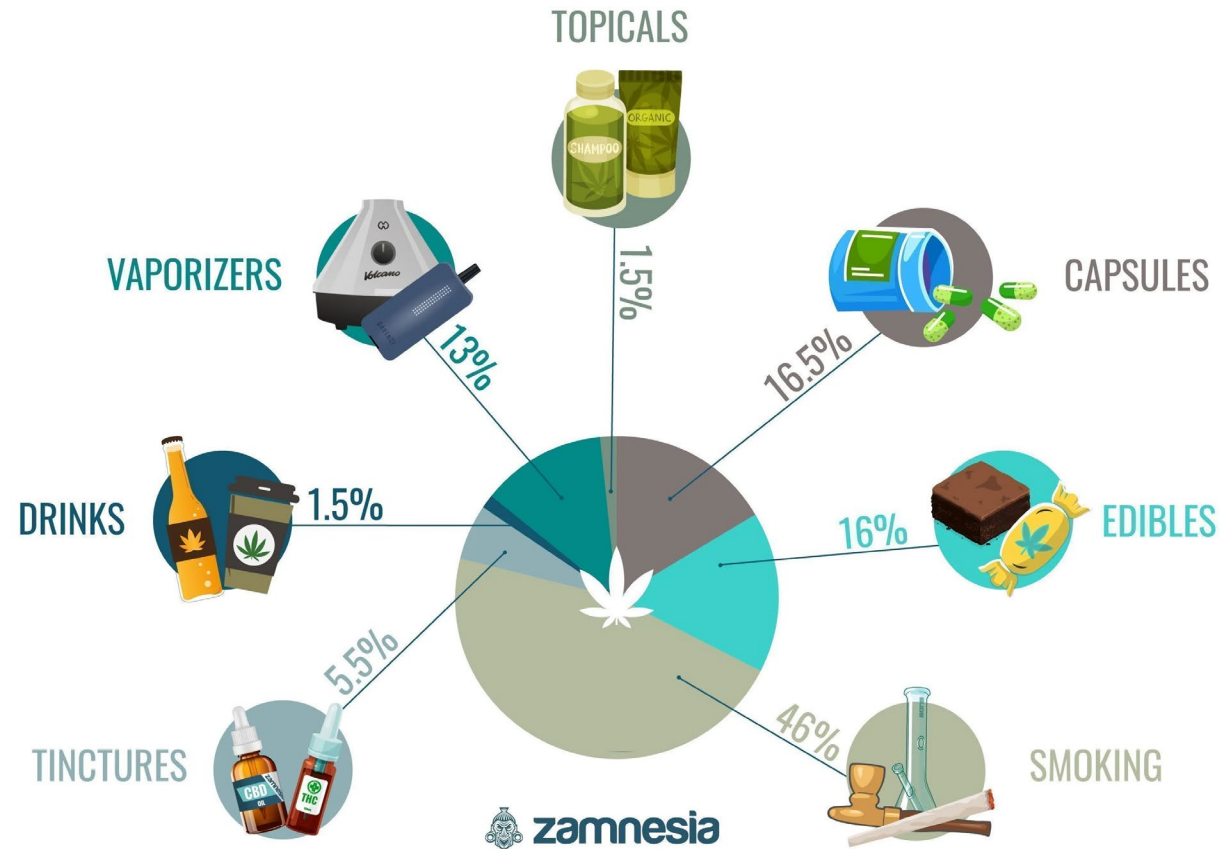
# CONCENTRATES



# METHODS OF ADMINISTRATION

- Smoked – 59%
- Oral – 39.5%
- Topical – 1.5%

## THE MOST POPULAR WAYS TO CONSUME CANNABIS





## SYNTHETIC CANNABINOID PRODUCTS

- Plant materials combined with laboratory chemicals that are full agonists to the endocannabinoid system. Natural are partial agonists.
- Needless to say, the manufacturing standards & processes are not the highest!
- Marinol/Dronabinol – Medically Rx'd





# THE CHALLENGE – WHO DRIVES?



The legalization and increased availability of Cannabis products have led to a rise in drug-impaired driving, especially among young drivers.



This presentation discusses the challenges law enforcement faces and explores some ideas for getting the most from your LEO witnesses.

**A growing share of cannabis consumers report daily or near daily use, and their numbers now exceed the number of daily and near daily drinkers.**

*Caulkins JP. Changes in self-reported cannabis use in the United States from 1979 to 2022. Addiction. 2024;119(9):1648–52*

# HOW CANNABIS IMPAIRS

## Key effects:

- Slower reaction time, impaired cognition, poor judgement of time and distance estimations, poor decision making, standard lane deviation.

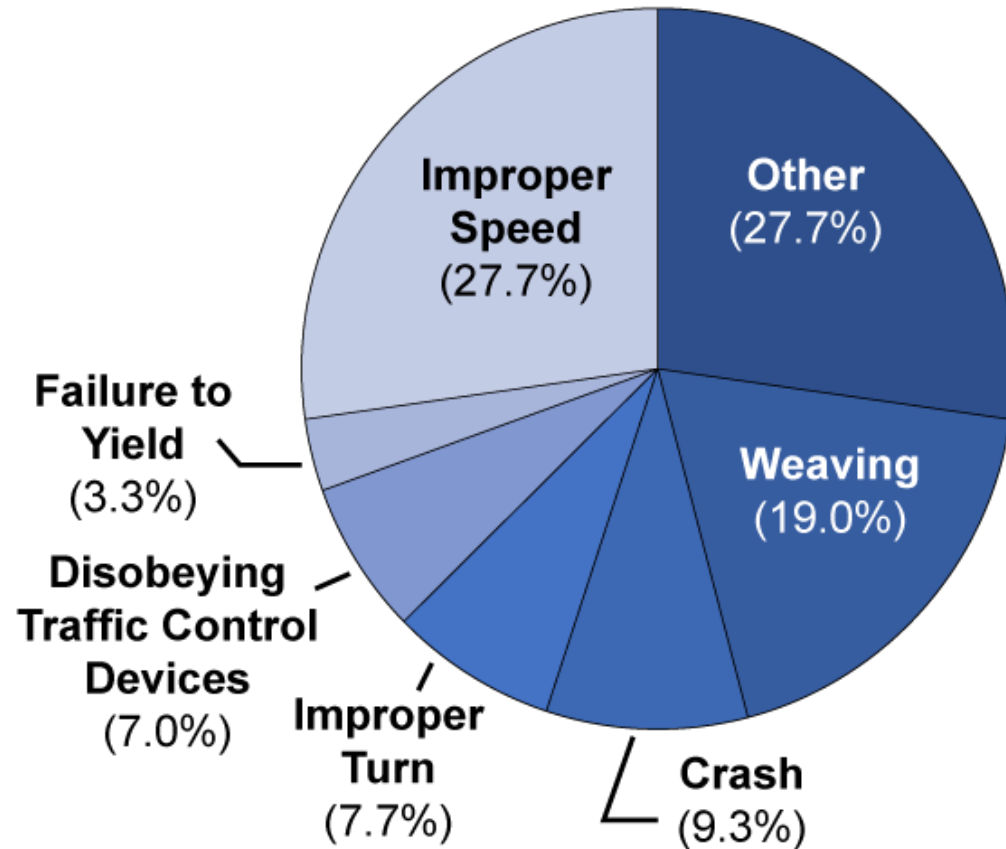
## Comparison to alcohol:

- No BAC for THC - Different impairment patterns but still extremely dangerous. Especially a little bit of this and a little bit of that!

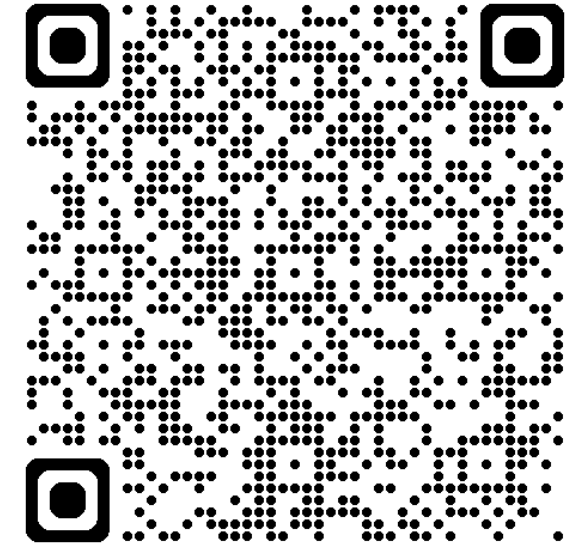
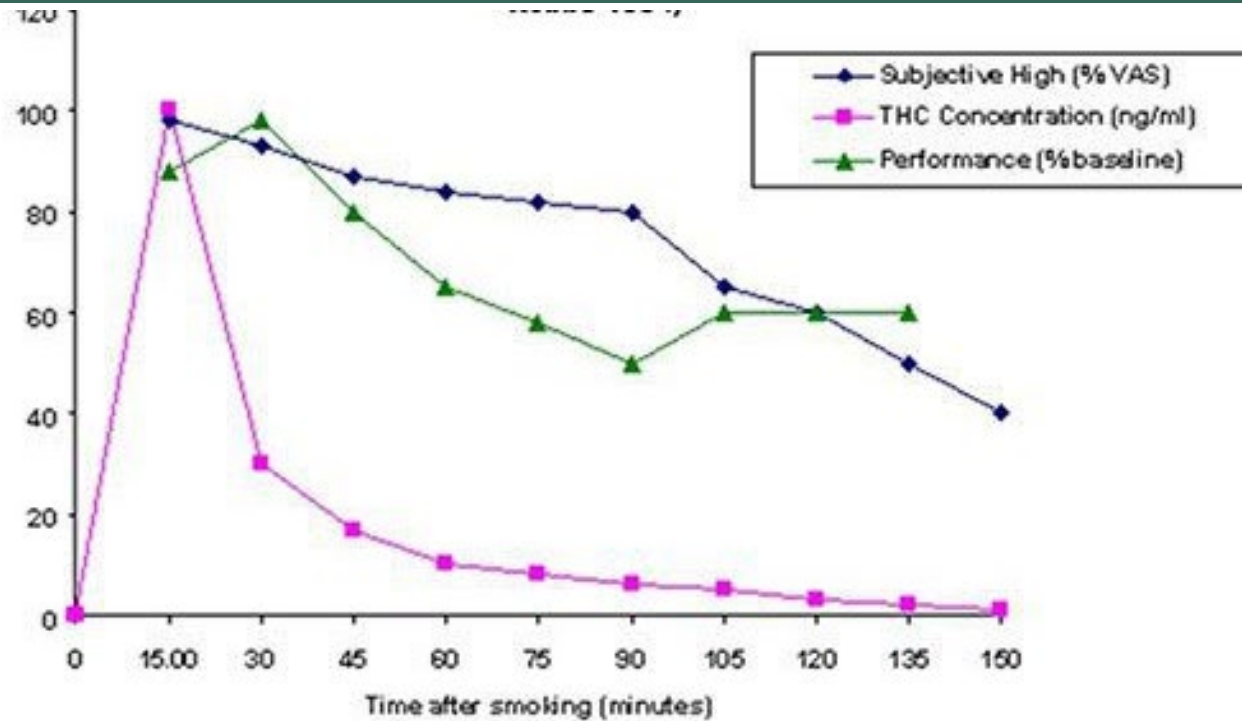
## Common misconceptions:

- “I drive better high” Myth!





## TYPES OF DRIVING BEHAVIORS OF CANNABIS IMPAIRED DRIVERS



# MARIJUANA-IMPAIRED DRIVING – A REPORT TO CONGRESS



# GENERAL INDICATORS

- Bloodshot eyes
- \*Body tremors
- Disoriented
- Euphoria
- \*Eyelid tremors
- Possibly dilated pupil
- Lack of Convergence
- Impaired perception of time and distance
- Odor of cannabis
- Paranoia
- Relaxed inhibitions
- Elevated Vitals – ie. BP, Pulse
- Sedation



# LONG TERM EFFECTS

- Acute anxiety attacks
- Chronic Bronchitis
- Chronic reduction of attention span
- Lowering of Testosterone
- Lung damage
- \*Mental Health issues
- Possible birth defects

**Additionally, just out on March 18<sup>th</sup>, 2025, in the Journal of the American College of Cardiology:**

**Users under age 50 are:**

- **6X more likely to experience a heart attack**
- **4X more like to experience ischemic stroke**
- **2X more like to experience heart failure**



# HOW DO WE DETECT & ENFORCE OUR DUI LAWS

## SFST Challenges:

- Horizontal gaze nystagmus (HGN) less reliable, WAT & OLS, ok.

## Key tests:

- Romberg, Finger to Nose, Lack of convergence (LOC), pupil size, eyelid & body tremors

## Role of DREs & ARIDE:

- Advanced officer training for impairment detection

Did you know that prosecutors can attend ARIDE and possibly DRE-Pre School to gain more information and training?



# THE BIGGEST TAKEAWAY IS THIS:

THIS IS  
CHALLENGING!



& I'll prove it!

WHICH EYES ARE STONED?



**I teach all our students;**

- TRUST OUR TRAINING,
- TRUST THE TESTS,
- TRUST YOUR GUT!





## LET'S SEE IF WE'VE LEARNED ANYTHING?

HGN	
VGN	
LOC	
Pupil Size	
Reaction to Light	
Pulse Rate	
Blood Pressure	
Temperature	
Muscle Tone	

## CONCLUSION

Detecting and deterring Cannabis-impaired driving presents significant challenges

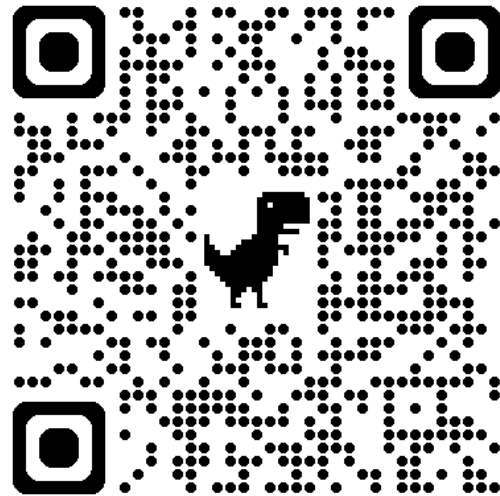
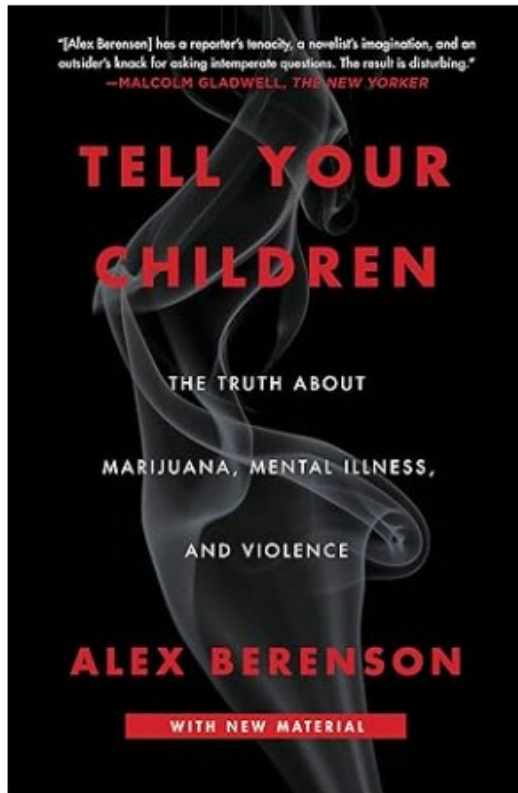
- law enforcement can utilize current best practices, technological advancements, and public awareness campaigns to protect public safety.

Ensuring officers & PROSECUTORS have the training & support

- is the key to reducing impaired driving incidents among drivers.



# THANK YOU!



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