Managing Marijuana Legalization-
The 3 P’s of Pot: Pitfalls, Perils and Possibilities

Chuck Hayes, International Association of Chiefs of Police
DEC Program Western Region Project Manager
What We Do Know

- Creating many challenges
- Underestimated
- Understanding and recognizing Cannabis impairment is critical
- Increased roadside detection training needed
- Having an impact on roadway safety
Highway Safety Impacts of Legalization

THC Involved Fatal Crashes

- COLORADO 2012: THC Involved Fatal Crashes (86% (2013 – 2017))
- WASHINGTON 2012: THC Positive Drivers (Up from 8% to 23%)
- OREGON 2015: THC DRE Cases
  - 50% Cannabis (2015)

THC Positive Drivers

- WASHINGTON 2012: Up from 8% to 23%

Shaping the Future of the Policing Profession™
Marijuana’s Psychomotor Effects and Effects On Driving?

Impairment may look different.
“I drive better when I’m stoned. I’m slower and that’s safer. Dude.”

Safer Driver Myth
“Drug Recognition Expert (DRE) Examination Characteristics of Cannabis Impairment”

Hartman, Richman, Hayes, and Huestis, Accident Analysis and Prevention, April 2016

“302 DRE Cannabis Case Study”
The Research Study Group

302 DRE
Cannabis Cases:
114 - below 5 ng/mL THC
188 - 5 ng/mL or above

302 Non-impaired
Control Cases
Reason for the Traffic Stop Results

72% of the cases involved one or more moving violation
Walk and Turn Test Clues

Average: 3 clues (Out of 8)  Control Cases: Average - 0 Clues
One Leg Stand Clues/Observations

- **Sway**: Left 77.3, Right 77.3
- **Arms**: Left 33.0, Right 37.3
- **Hops**: Left 9.3, Right 10.0
- **Foot**: Left 17.7, Right 18.0
- **Tremors**: Left 63.7, Right 62.7
Below/Above 5 ng/mL THC – Traffic Stop

Five reasons occurred more frequently in below 5 ng/mL cases
302 DRE Cannabis Case Study Conclusions

✓ Observed impairment indicators support SFST, ARIDE & DRE

✓ No significant differences of impairment indicators in <5 and >5 ng/mL THC blood level cases

✓ THC per se – may not be that effective on its own

✓ Need to focus on “impairment” and not a number
“Booze” vs “Bud” Challenge

Current research does not support equating 0.08 alcohol to a THC impairment level

“There’s no BAC for THC!”
Thank you!

Chuck Hayes
International Association of Chiefs of Police
DEC Program Western Region Project Manager
hayes@theiacp.org
703-647-7256