Interim Judiciary Committee Meeting
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October 11, 2012

The workload in the Drug Chemistry Unit has fluctuated over the years with the general trend in submissions having always been upward. For example, the number of drug cases submitted between 2008 and 2011 has increased 25%. This statistic alone should be cause for concern. The real issue here is the type of drugs the laboratory is currently analyzing; namely the synthetic cannabinoids, cathinones, and other designer drugs. These drugs compose 16% of the items analyzed but are consuming the majority of the analyst's time. Why?

- Synthetic cannabinoid, cathinone, and designer drug cases require more time to analyze than other types of cases. While marijuana plant material can be identified by physical characteristics and a color test, synthetic cannabinoids, , cathinones, and designer drugs must be analyzed by GC/MS, a process which takes approximately forty minutes per sample (compared to a few minutes for marijuana samples). This equates to much more analytical time and more data to analyze and review.

- Another more troubling issue is that these *drugs* are in a state of constant change. The compounds contained within each sample, even those with items having the same packaging are constantly changing. It is not uncommon to have several new drugs identified every week, in the past few years the laboratory has identified over 60 new drugs. The laboratory must frequently order new reference standards, thereby increasing the turn-around time for the particular case needing the reference standard. Over the past couple of years, the laboratory has ordered over 90 drug standards ranging in price from $65 to $250 dollars each. The laboratory has even requested the DEA Special Testing Laboratory to synthesize three new compounds because they're not commercially available.

- These *drugs* are in a state of constant change. The emergence of new compounds makes the identification process increasingly difficult and time consuming for the laboratory. This can easily be demonstrated by examining the change in composition of the top 25 drugs in North Dakota in the last four years. From the handout, please look at the two Top 25 Drug Summaries one from 2008 and one from 2012. The change is incredible; the compounds go from items you can readily pronounce and somewhat recognizable to something you might see in an advanced graduate level organic chemistry class.

The increased workload, the analysis scheme, the number of items, the availability of standards, and the complexity of the chemical compounds have all contributed to the increased turn-around time in the Drug Unit. In 2008, the average drug case turn-around time was less than two weeks while today the average turn-around time is almost ten weeks. In 2008, the number of pending cases for analysis was almost zero while today it's close to 550 cases.

To assist law enforcement agencies in their investigations and prosecutors in litigation, the laboratory has implemented a case prioritization form to be completed when a case needs to be expedited. In the last five months, the laboratory has had 17 requests to have drug cases expedited. Law enforcement agencies are also informed of quarterly and yearly turn-around times via SLIC and the crime laboratory's newsletter on the AG's website. This past January, the laboratory hired a temporary forensic scientist to assist in reducing the workload and the turn-around time.

The proposed changes in the scheduling of controlled substances this legislative session will assist in slowing down this alarming trend in synthetic cannabinoids, cathinones, and designer drugs in North Dakota.