



CALIFORNIA ASSOCIATION OF CRIME LABORATORY DIRECTORS

"Advancing Forensic Science Through Effective Management"

BOARD OF DIRECTORS 2014-2015

President
DEAN GIALAMAS
Los Angeles County Sheriff
Technical Services Division
12440 E Imperial Hwy, Suite 650
Norwalk, CA 90650
(562) 345-4301
DMGialam@lasd.org

President-Elect
JILL SPRIGGS
Sacramento County District Attorney
Laboratory of Forensic Services
4800 Broadway, Suite 200
Sacramento, CA 95820
(916) 216-3864
SpriggsJ@sacda.org

Past President
BRUCE HOULIHAN
Orange County Crime Laboratory
320 North Flower Street
Santa Ana, CA 92703
(714) 834-6380
BruceH@occl.ocgov.com

Treasurer
CONNIE MILTON
San Diego Sheriff Crime Laboratory
5255 Mount Etna Drive
San Diego, CA 92117-6912
(858) 467-4424
Connie.Milton@sdssheriff.org

Secretary
CAROLINE KIM
California Department of Justice
Bureau of Forensic Services, Riverside
7425 Mission Boulevard
Riverside, California 92509
(951) 361-5000
Caroline.Kim@doj.ca.gov

Position Statement on Assembly Bill 1356: Vehicles: Driving Under the Influence: Oral Fluid Testing

CACLD appreciates the intent of AB 1356 to provide additional screening samples for roadside use in driving under the influence of drugs (DUID) cases, especially as oral fluids are less-invasive and easier to collect. However, current toxicological standards and the need for the most comprehensive and appropriate sample matrix (i.e. blood) cannot be fulfilled with oral fluid samples at this time.

AB 1356 appears to equate blood and oral fluid as equally appropriate for DUID testing. However, blood is far superior a matrix. Specifically:

- The normal blood volume collected is usually in excess of 10 mL. This allows for replicate testing, testing for different classes of drugs, many volatiles (e.g. alcohols), splitting of samples for defense testing, etc. These are not possible with an oral sample.
- Oral fluid is inappropriate for ethanol testing, the most common DUI test.
- Prescription drug use in driving cases is a significantly increasing trend. Oral fluid is unable to detect most prescription drugs, including sedative hypnotics.
- Analytical thresholds and concentrations are well understood with blood. Oral fluid information is very new, limited, and not standardized in California. Implementing oral fluid as an evidentiary sample is premature at this time.
- Forensic interpretation of oral fluid results is at the *beginning* of study in California; correlation data between oral fluid and blood is very limited. CACLD strongly recommends more study and funding before implementing oral fluid as an alternative to blood.

CACLD understands the value of this technology but only in the limited capacity of presumptive screening with the understanding that oral fluid analysis is limited in detecting the number of drugs present. In addition, this testing does not supplant the importance nor the need for analysis of blood in detecting drugs. For these reasons, CACLD notes the abovementioned concerns, but we look forward to the continued dialogue on how oral fluids may be used for screening purposes.

CACLD Board
April 17, 2015