



# Northeastern Illinois Regional Crime Laboratory

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## The Laboratory's approach to Cannabis and THC testing – December 2019

In response to the pending enactment of the Cannabis Regulation Tax Act, the NIRCL, DuPage County Forensic Science Center and ISP crime labs collaborated this past summer on recommended updates to the legislation to facilitate the consistent testing of Cannabis and Cannabis infused products state-wide. Many of those recommendations were not incorporated into the final legislation and so we are left with a lot of uncertainty on how to move forward.

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The **Chemistry** and **Toxicology** sections of the lab will be impacted by this legislation.

The **Chemistry** section is currently validating a procedure to **quantitatively** differentiate Cannabis plant material (drug type) from industrial hemp. This procedure will be implemented early next year. Until then, the Chemistry section will continue to provide qualitative analysis of plant material. Following legislative direction, the following submission guidelines will be implemented:

For **Possession** of plant material charges made January 1, 2020 and after:

- For suspects under the age of 21, plant material amounts over 10 grams will be accepted.
- For suspects aged 21 years or older, who are also residents of the State of Illinois, plant material amounts over 30 grams will be accepted.
- For suspects aged 21 years or older, who are not residents of the State of Illinois, plant material amounts over 15 grams will be accepted.

In addition to the standard case information, please include the **birthdate** and **state residency** of the suspect.

For those circumstances in which less than the above listed amounts of cannabis may be critical to your case, please contact the laboratory before submission.

Submission guidelines for arrests for the **possession** of plant material in restricted locations (schools, etc.) remain the same.

Submission guidelines for arrests for the **delivery** of plant material remain the same.

**Please continue to work with the lab and your State's Attorney's Office when deciding what testing to request of the lab.**

The **Chemistry** section cannot quantitate THC in Cannabis infused products and concentrates (vaping cartridges). We are unaware of any laboratory that has implemented the quantitative analysis of Cannabis infused products as the testing procedures required are virtually impossible to achieve in the crime lab setting. **NMS Labs** in Pennsylvania does have a procedure for quantitative analysis of THC in oils (from vaping cartridges), but the lab is currently not accepting any cases because a recent influx of samples has generated problems with backlogs and turn-around times.



For now, the **Chemistry** section will continue to provide **qualitative** analysis of Cannabis infused products until data is available to make an informed decision on how, if even possible, to move forward with the considerable investments needed to provide quantitative testing of these items. The lab's policy regarding vaping cartridge testing remains the same and can be found at [www.nircl.org](http://www.nircl.org).

The **Toxicology** section will be impacted by this legislation with expected increases in THC related DUI cases. The NIRCL has applied for grant funding to offset the cost of instrumentation needed to provide quantitative testing of THC in DUI blood samples. If funded, the goal for implementation of that testing in-house is October 1, 2020. Until that time, the NIRCL will continue its current practice of paying for the quantitative testing of THC in DUI blood samples.

As Cannabis and THC testing continues to evolve, the laboratory will let you know when it brings new testing options on-line or learns of new testing options available at private laboratories.

Please contact Phil Kinsey at [pkinsey@nircl.org](mailto:pkinsey@nircl.org), (847) 362-0676 x102 or (406) 493-8083 if you have any questions or concerns.