

Illinois Forensic Science Commission- Public Policy Subcommittee

Meeting Minutes

September 30, 2024, 11:30 a.m. meeting

I. Call to order

John Hanlon, chairperson of the subcommittee, called the meeting to order at approximately 11:34 a.m. The meeting was held via Web Ex.

II. Roll-call

The following people were present:

1. Dr. Ponni Arunkumar, FS Commission member, subcommittee member
2. John Hanlon, FS Commission Member, subcommittee chairperson
3. Jillian Baker, FS Commission Member, subcommittee member
4. Claire Dragovich, FS Commission Member, subcommittee member
5. Cris Hughes, FS Commission Member, subcommittee member
6. Carrie Ward, FS Commission Member, subcommittee member
7. Amy Watroba, Executive Director-Forensic Science Commission
8. Lindsay Simpson, NIRCL
9. Edmund Laube, DuPage County Public Defender's Office
10. Kevin McMahon, DuPage County Public Defender's Office

III. Review/Adoption of the Minutes

1. The Meeting Minutes of 8/21/24 were adopted by unanimous vote.

IV. Old Business

Ms. Watroba informed the subcommittee that she sent an email earlier in the day informing Commission members that the vacancy on the Commission was filled by the Governor's appointment of a defense attorney to complete the remainder of the term of the previous appointee.

V. New Business

None.

VI. Discussion: DUI-Cannabis Impairment

Ms. Watroba summarized the presentations and discussion topics from the NHTSA Toxicology Summit she attended in Springfield on September 24th. Ms. Watroba noted that she had an opportunity to share information about the

Commission and about the Commission's recommendation related to Delta-9 THC at the summit. In addition to explaining the Delta-9 THC recommendation, she distributed hard copies of the recommendation, which is available on the Commission's website, to participants. Ms. Watroba also mentioned the current state of the subcommittee's work on the 2-hour sample collection window in section (a)(7) of the DUI statute to summit participants. Ms. Watroba indicated that the summit was very worthwhile and that there was discussion of reconvening the group of stakeholders annually or possibly more frequently via an online platform.

The subcommittee discussed next steps in moving forward with a statement related to the 2-hour sample collection window for per se DUI cannabis cases. Ms. Watroba indicated that she was putting together a draft of the non-scientific portion of the statement which includes references to the Commission's statute and the Commission's charge as described in the DUI Cannabis Task Force Report. She shared the portion of the DUI Cannabis Task Force Report which indicated that the Commission would continue to look at scientific developments related to DUI cannabis. Ms. Dragovich explained that, while the topic of the 2-hour sample collection window was not included in the DUI Cannabis Task Force Report, the Commission was asked by ISP to examine the issue and heard presentations from troopers on the topic prior to Ms. Watroba joining the Commission as Executive Director. The subcommittee discussed whether to address both the 2-hour collection window and the per se amounts in section (a)(7) in the subcommittee's statement and the consensus was to limit the statement to the subcommittee's position on the 2-hour collection window. The subcommittee felt it would need to hear additional evidence specific to the issue of the per se amounts in section (a)(7) before issuing a statement related to that topic. Additionally, the subcommittee agreed that it would be better to address the separate issues in separate documents so that the statements could be used as distinct references if there are future proposals for legislative amendments to either component of section (a)(7). Subcommittee members noted that this was discussed at the last subcommittee meeting and that reviewing the DUI Task Force Report recommendation did not change the subcommittee's position on how to proceed.

The subcommittee then discussed a plan to move forward on the statement related to the 2-hour collection sample window. Ms. Watroba will continue to draft an outline including the non-scientific portions of the statement and subcommittee members will send her resources that might be included in the statement either as part of a list of resources or in footnotes for statements made in the document. The scientific resources identified as relevant to the statement include papers that address the speed/timing of cannabis metabolization and resources establishing that toxicologists cannot conduct back extrapolations for

cannabis. ASB 037 was one resource identified during the meeting. Ms. Watroba will assemble a draft document based on what she receives and will share the draft with the subcommittee via TEAMS for editing and comments. Then the document can be reviewed and discussed at the next subcommittee meeting. The subcommittee hopes to have the document completed for presentation to the full Commission at the December Commission meeting.

Ms. Watroba suggested that there may be other aspects of the DUI statute that the subcommittee will be tasked with examining in the future depending on any proposed legislation related to the DUI statute that is drafted by other entities prior to the next legislative session. She indicated that she would be on the lookout for any proposed legislation which might warrant a scientific response from the Commission.

VII. Public Comment

No public comment.

VIII. Meeting Schedule

The next meeting will be scheduled via a Doodle Poll and will be held via Web Ex.

IX. Adjournment

Subcommittee chairperson John Hanlon adjourned the meeting at approximately 12:18 p.m.