

HIGH ...

Continued from A-1

Lee noted that Oregon does not have a per se limit for marijuana, as some other states do. But in Oregon a person could still be charged if other circumstances, such as body size, whether someone is new to a drug, the quantity of THC (the psychoactive compound) in marijuana products, and so on, result in impaired driving.

Josephine County Sheriff Dave Daniel explained that his department does not have its own DRE, but has a similar protocol.

"If we believe there is impairment to a perceivable degree we make the arrest. The arrestee is then taken to an intoxicant Breathalyzer. If the result is a zero or below 0.08, then we would ask for assistance from the city of Grants Pass or the Oregon State Police for a DRE to conduct an evaluation."

What does a DRE look at for signs of cannabis intoxication?

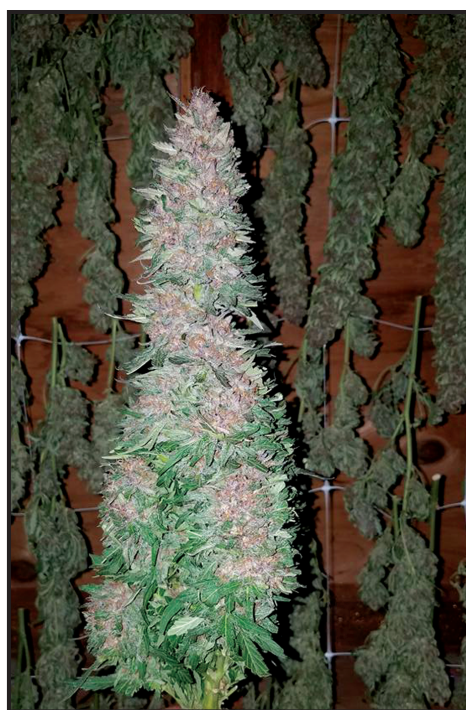
Lt. Misty English of the Grants Pass Police Department, who worked as a DRE for six years before her promotion to lieutenant, said there is a 12-step evaluation process to see if there is impairment in any drug category.

"No one test is specific to marijuana. But you take all the 12 steps and then look at the totality."

The evaluation process repeats the standard field sobriety tests, including the Breathalyzer test.

"If they're over the limit for blood alcohol, that's all we need for a case, and we stop there," English added.

But a continuation of the evaluation



(Courtesy photo for the Illinois Valley News)

The Illinois Valley is considered to be one of the best areas in the world to grow. This brings people here to work in the industry, with different driving skills.

process would also look at such items as elevated heart rate and elevated body temperature. Bloodshot eyes can be an indicator of marijuana, and the odor of marijuana is a good tip off that somebody in the car has been smoking marijuana recently.

"There's a lot of different things that we take into consideration, and combine all that with [driving]

performance," said English.

Once the suspicion of driving while intoxicated is confirmed, the case moves to the prosecution stage.

Josephine County District Attorney Ryan Mulkins explained that, in Oregon, driving under the influence of intoxicants (DUI) laws does not distinguish between alcohol or other drugs, such as marijuana.

"It's all covered under the same set of statutes."

The relevant statutes provide for some rather severe penalties, up to a maximum of one year in jail for the first or second offense and up to a \$6,500 fine. However, said Mulkins, such penalties are rare. Most common for the first offense is a 10-day jail sentence or other custodial program, such as house arrest or work crew, plus a \$1,000 fine. A second offense typically yields 20 days in jail and a \$1,500 fine.

The maximum penalty for a third offense within 10 years, a Class C felony, is five years in jail and a \$125,000 fine, although the more likely penalty is the statutory minimum of 90 days in jail and a \$2,000 fine.

"But," said Mulkins, "it's based on the seriousness of the crime and the criminal history."

Finally, a fourth offense in 10 years will likely result in a prison sentence for the driver.

Marijuana is metabolized differently in the body from alcohol and other drugs. But the Oregon law enforcement system is as ready to take marijuana-impaired drivers off the road as those affected by any other intoxicant.

BUCKS

Continued from A-1

"We discussed a proposal that the bulk of the revenue should go to code enforcement and specifically those cannabis grows that are the focus of most of our complaints," Hare said of the recently proposed pot patrol. After discussing the proposal again at the Oct. 10 general meeting, Hare said that they would review it once more Oct. 12 with the proposal's fiscal element drafted up in writing. However, there was an error in the recording process during the Oct. 12 meeting and, despite being posted on the county website, nothing can be heard but static. Commissioner Dan DeYoung agrees with Hare's proposal while Commissioner Lily Morgan viewed it with some skepticism.

"Why are we funding a deputy for marijuana enforcement when the state police just hired three detectives for that very function and is assigning seven OLCC inspectors in Medford?"

Both DeYoung and Hare held that Josephine County shouldn't rely completely on the state for cannabis related enforcement.

Although the additional revenue is good news for Josephine County, it's doubtful that it'll be the silver bullet in replacing the ever declining timber dollars once bountifully reaped into the county coffers. According to the 2017-2018 proposed budget available on the Josephine County website, only \$2 million of the budget are to be brought in via timber. From 2001 to 2011, the county's proposed budget said they raked in an average of \$11.01 million from timber annually.

"We are going to continue to craft reasonable local regulations to help ensure negative elements associated with the production, processing and distribution are kept to a minimum," said Hare, when asked whether or not this additional source of income would affect the hotly debated Rural Residential cannabis growing restrictions in Ordinance No. 2017-002.

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