

List of Questions for the Blood Analyst with Drugs Found

Questions to the SBI Chemist

How much actual THC//Valium/controlled substances did you find in defendant's blood?
(None).

Did you find metabolites of those substances in his blood? (Yes)

What is the accepted level of impairment for drug in question? (There isn't one).

Is it true that people are effected differently by drugs depending on quantity, frequency and other factors you have yet determined? (Yes)

Isn't it true that the metabolites of THC which is the impairing ingredient in marijuana which can be found in defendant's system for 6-8 weeks. (Yes)

and the impairing effects don't last for 6-8 weeks? (Yes)

Metabolites for (fill in your drug here: _____) last for as much as a week? (Yes)

and the impairing effects of that drug don't last for a week? (Yes)

Would you agree that there is some level of THC/other drug in your system that would not cause impairment? (Yes)

Level of impairment from alcohol in NC is set statutorily at .08? (Yes)

and so if the person tested .04?, we will presume him not impaired? (Yes)

So what's the level at which a person is impaired by THC? (No level specified)

Many people take prescription drugs which say on the bottle "Do not drive or operate heavy machinery until you've determined how this will effect you?" Correct? (Yes)

And those drugs don't necessarily impair the person's ability to drive when taking the prescribed amounts and the person follows that direction on the bottle's label? (Yes)

So drugs might impair a person's performance and might not. Correct? (Yes)

There are substances, aren't there that can cause a false reading in your search for metabolites of controlled substances, aren't there? (For example, poppy seeds) (Yes)

They register as a controlled substance because they actually have some of those controlled substances molecules in them, correct? (Yes)

You didn't watch the defendant ingest any controlled substances or alcohol, correct? (Yes)

And you didn't know when the defendant had last consumed any such substances? (Yes)

Drugs effect people in different ways, correct? (Yes)

A substance might impair one person might not impair the other person, correct? (Yes)

So you can give us no opinion one way or another as to the impairing effect of the substances you found in the defendant's blood, correct? (Yes)

In addition you can't tell us how recently those substances were consumed and in what quantity, correct (Yes).