

Righetti rolls on

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More ag water?

Trump mulls deliveries to Central Valley. A2

Last call

Lompoc's Whistle Stop bar to close.

CENTRAL COAST, A3

A SPECIAL REPORT | DAY 4

LEGALIZATION

CHANGES LANDSCAPE OF LAW ENFORCEMENT



LEN WOOD, STAFF

Lompoc Police Chief Pat Walsh looks at an alcohol measuring device with Officer Joseph Olivares. Walsh said no similar tool exists for police to check cannabis intoxication.

Crime, training among concerns; industry players look forward to partnerships

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As California moves closer to legalization of marijuana use and sales, there are many different groups — including medical users, adult recreational users, business owners and employees within the industry — that are keeping close tabs on the constantly evolving regulations.

One of the most interested are the men and women in the law enforcement community, many of whom have spent their professional lives working to eradicate

the formerly illegal substance.

Now, with adults being able to grow and consume cannabis, and businesses set to open up shop and sell the versatile plant throughout the state, many law enforcement leaders have a long list of concerns.

“There’s gonna be problems,” Lompoc Police Chief Pat Walsh said very matter-of-factly. “Any time that you take an illegal substance and make it legal, and any



time that there’s money and value to the product, then you’re gonna have opportunists and people try to take advantage of it.”

Joining forces
Purveyors of marijuana and law enforcement officers have long been at odds, but now the two sides will look to work together to protect what will be the largest legal cannabis industry in the United States.

Lompoc, like most other cities and counties in California, has

spent considerable time over the past year hashing out ways in which marijuana and related commerce will be regulated within the city.

Although Walsh remained steadfast in his belief that Lompoc should put the brakes on inviting the marijuana industry into town, one of his first suggestions to the city was to develop a coalition comprised of public safety officials, cannabis industry insiders, and even people outside the industry who have an interest.

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Law enforcement prepared for DUIs

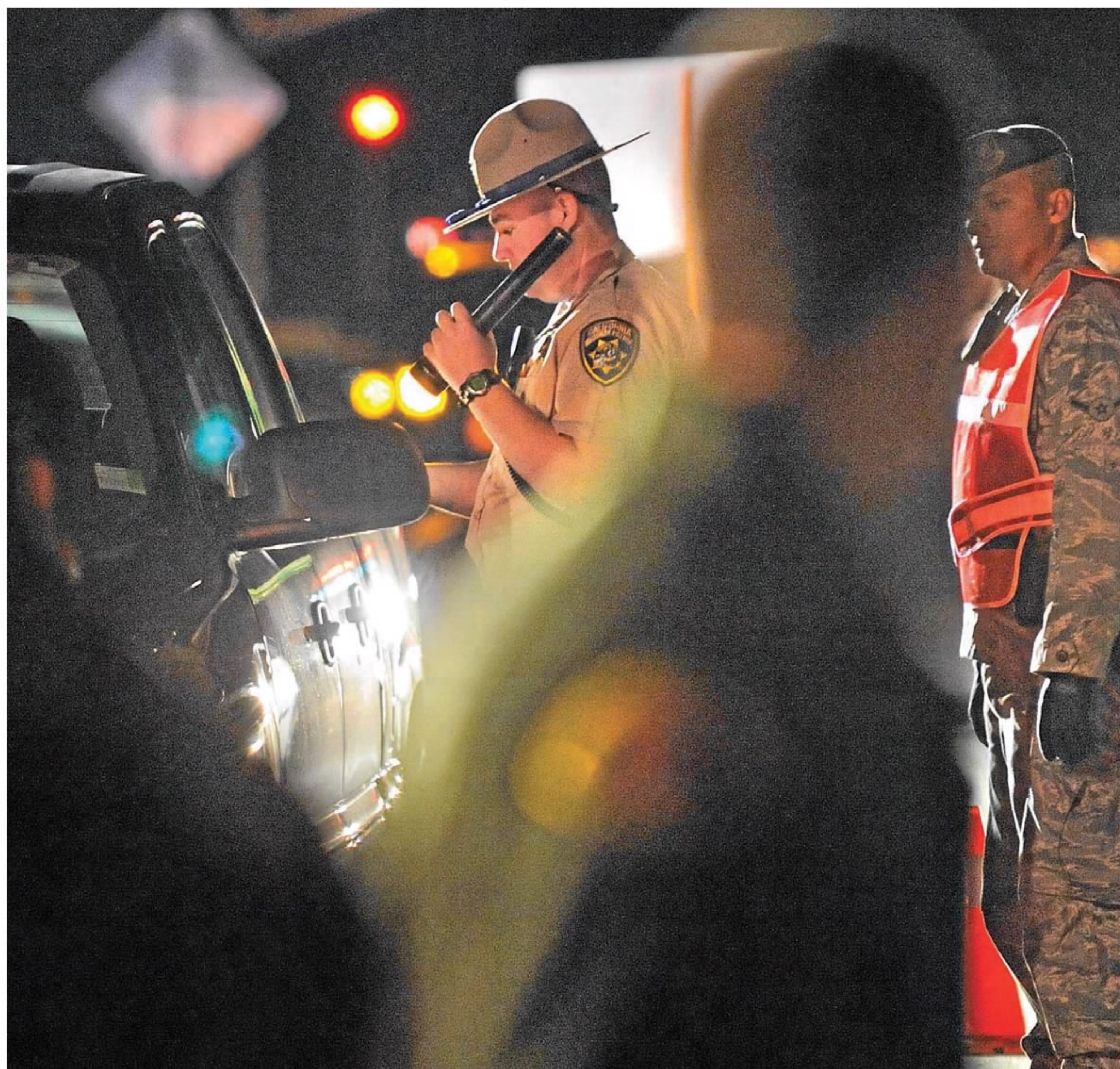
‘If you fail a roadside test, you will be arrested’

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Patrol officers locally and across the state will be on high alert for impaired motorists as recreational marijuana becomes legal for those 21 and older on New Year’s Day.

While there is not yet a threshold test to measure marijuana intoxication, or even a vehicle or penal code section in state law to identify when someone high on marijuana is over the limit, motorists who can’t pass a roadside intoxication test will be arrested.

“It doesn’t matter that marijuana has been decriminalized and now legalized — our job remains the same at the end of the day — to keep roadways safe from intoxicated drivers, whether they’re under the influence of marijuana, prescription drugs or alcohol,” said Jaime Coffee, California Highway



STAFF FILE

A California Highway Patrol officer checks IDs at a CHP-led sobriety checkpoint in front of Vandenberg Air Force Base in 2009.

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▪ Sheriff’s Narcotics Unit could double if county OKs cannabis

▪ Sheriff’s office anticipates rural crime rate rise

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Enduring cold snap creates headaches

JOHN SEEWER
Associated Press

TOLEDO, Ohio — Already winter-weary parts of the Midwest and East Coast are dealing with a mounting number of weather-related headaches, from highway pileups to frozen pipes and a rash of car thefts. And there’s more to come.

Bitter temperatures and snow squalls have been blamed for a handful of deaths and canceled a long list of New Year’s celebrations.

Icy roads in central Michigan caused more than 30 crashes Friday on highways near Flint while a chain-reaction crash involving about 40 vehicles in the southwestern part of the state left three hurt.

Coastal South Carolina saw a rare bout of freezing rain and drizzle Friday that forced bridges from Charleston to Myrtle Beach to shut down for de-icing.

Police in the Cincinnati area said a half-dozen cars have been stolen in recent days after being left running unattended by owners trying to warm them up. Cincinnati police warned in a tweet that leaving your car running means “the only person who will be warm is the thief who stole your car.”

More snow is on the way in Erie, Pennsylvania, where 65 inches have fallen since Christmas Eve. Now parts of the surrounding county could get up to 16 inches of more snow by Sunday.

A call center set up to help people dig out has been overwhelmed. “The phones have been ringing off the hook,” said Josh Jaeger, a coordinator for the center told the Erie Times-News.

Cleanup continued inside Michigan State University’s basketball arena after a frozen water

Please see **FREEZE**, Page A8

Officials: Deadly NYC fire lit by child playing with stove

JENNIFER PELTZ AND DAVID JEANS
Associated Press

NEW YORK — A preschooler toying with the burners on his mother’s stove accidentally sparked New York City’s deadliest fire in decades, an inferno that quickly overtook an apartment building and blocked the main escape route, the fire commissioner said Friday.

A dozen people died, and four others were fighting for their lives a day after the flames broke out in the century-old building near the Bronx Zoo.

The 3½-year-old-boy, his mother and another child were able to flee their first-floor apartment. But they left the apartment door open behind them, and it acted like a chimney that drew smoke and flames into a stairwell. From there, the fire spread throughout the five-story building, authorities said.

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DISCOVER DIGITAL



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Regulating cannabis? Just think of a complicated layer cake

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If you listen to the federal government, marijuana is a Schedule 1 drug, illegal and on par with heroin, LSD, peyote and MDMA, better known as ecstasy.

In California, however, voters legalized the weed in November 2016 with the passage of Proposition 64, setting up a collision of sorts between federal, state and municipal laws governing everything from starting businesses, getting bank loans, housing and even research funding.

Bay Area attorney Ariel Clark, with Clark Neubert LLP, specializes in cannabis law and advises growers, lawmakers and business people to look at the complex issue in layers. The top tier would be the federal government, the middle tier California law, and the third tier municipal governments in each county and city coming up with their own rulebooks to regulate cannabis use and business.

Given that there are 458 cities and 52 counties in the state, however, “it’s going to get extremely complex, and tough for each municipality to navigate the law,” said attorney Christoff Hickok, of Sherman Oaks-based Shevin Law.

Hickok, who specializes in cannabis law and offers legal consultation to cannabis companies, business owners, cultivators, growers, and testers on how to legally navigate the cannabis industry, said that “sorting through cannabis law starts with counties and cities around the state.”

“As long as marijuana is federally classified as a Schedule 1 ... banking, taxes and interstate commerce all have far-reaching consequences despite the legality within our border,” said Hickok. That means, for medicinal and recreational cannabis users, the conflicts with federal law makes things harder for people that receive federal assistance — from Section 8 housing to federal jobs to loans.

Bringing order to chaos

In June, California enacted SB-94, which combined regulations for medical and recreational cannabis so agencies can align them as closely as possible, bringing “some order into chaos,” Clark said.

The state bill, titled Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA),



CONTRIBUTED PHOTO

Ariel Clark, a Bay Area attorney with Clark Neubert LLP, specializes in cannabis law and advises growers, lawmakers and business people.

Federal drug schedules

Federal regulators classify drugs into five categories depending upon the drug’s acceptable medical use and the drug’s abuse or dependency potential.

Examples of drugs in each category:

Schedule I—heroin, LSD, marijuana (cannabis), ecstasy, methaqualone, and peyote

Schedule II—Vicodin, cocaine, methamphetamine, methadone, Dilaudid, meperidine Demerol, OxyContin, Dexedrine, Adderall, and Ritalin

Schedule III—Tylenol with codeine, ketamine, anabolic steroids, testosterone

Schedule IV—Xanax, Soma, Darvon, Darvocet, Valium, Ativan, Talwin, Ambien, Tramadol

Schedule V—Rohibussin AC, Lomotil, Motofen, Lyrica, Parepectolin

governs commercial cannabis activity at the state level. It requires all people engaged in cannabis commerce be licensed, allows local jurisdictions to control what activities will be permitted and “places the protection of the public as the highest priority,” according to the Bureau of Cannabis Control.

“California, through SB-94, sets the minimum standards for how cities can operate,” Hickok said. “Cities and counties can be more restrictive if they want, by creating an all-out ban, or only allowing for uses that they choose.”

The bill also states that quality assurance, inspection and testing requirements of cannabis will change.

MAUCRSA is the law, Clark said, and serves as the skeletal structure for how to operate. The



LEAH THOMPSON, CONTRIBUTOR

Marijuana products, including trim and concentrates, await processing and testing at Cannalysis lab in Costa Mesa on Wednesday.

regulations and inner workings being released by different state agencies, from Food/Agriculture to Consumer Affairs and Public Health, “are the flushing part of the body and blood from the rest of the body.”

So far, there are several state agencies that have been established to help write regulations and hire staff to weigh in on “creating this robust regulatory program in order to tax and regulate the industry and do it in a way that’s conscientious of the health/welfare of citizens and certainly many issues we care about,” Clark said.

The regulations closely detail how people should apply for permits for various types of cannabis businesses — from the daily operations for dispensaries and delivery services to tracking/tracing, packaging, advertising, marketing and security requirements to restrictions on THC content in edibles.

“These rules really have to touch on all specifics of all business operations in the cannabis industry from seed to sale,” Clark said. “It’s still hard to grapple with all of it because it’s so much.”

Short-term guidelines

In November, with the help of the Bureau of Cannabis Control, Department of Public Health and Food/Agriculture, the state released emergency MAUCRSA regulations for the cannabis manufacturing industry.

The regulations will be in effect for 180 days once the law goes into effect Jan. 1, when the state will

start issuing licenses and allow recreational marijuana sales.

Lawmakers, attorneys and those aiming to break into the cannabis industry are hopeful that the emergency regulations — which govern everything from tracking and tracing to testing products from seed to sale — will serve as a guideline for each county and city to come up with their own rules in the near future.

“It’s a huge deal,” Clark added. “We’re now starting to see lawmakers flush out the inner-workings of the law — now, there are rules for tracking and tracing, packaging, restrictions of THC content in edibles, advertising and security requirements.”

First things first

The state had to come up with its own rules first to give local municipalities a clearer outlook on navigating and regulating the industry, Clark said, everything from deciding whether they want both medicinal and recreational, delivery services and specific types of cannabis businesses to different types of cultivation — outdoor, indoor or mixed light.

“What types of businesses do they want to allow? Do they want to make sure businesses allow lab testing facilities?” Clark continued. “The list goes on and on — they have to make decisions on what types of businesses they are OK with allowing to open.”

Local cities and counties will write their own regulations when issuing local permits for anyone wishing to operate a cannabis business.

Long-term tension

There will always be tension between city, county, state and federal laws, most of which won’t be worked out until the application of the law, said Elizabeth Ashford, cannabis consultant and founder of Ceres Strategy based in Los Angeles. In order to change and improve the situation, “cannabis needs to first be rescheduled at the federal level, but until that happens there are still many questions left.

“Assuming someone gets a local license and, also, gets a state license, they should be fairly under-regulated, which is what the federal government has told cannabis business operations,” Ashford said. “Get right with local, state laws and we’ll leave you alone, but unfortunately, it’s not airtight.”

“That means, we don’t know anything yet — we don’t know every outcome of legalization; it’ll be worked out in court,” she said. “When someone may be evicted from housing even when they say they were in compliance with state law for marijuana possession and wins, maybe that’ll set precedence for policies going forward.”

Ashford stressed that not every outcome can be articulated by public policy.

“A lot of it will be litigated after the fact,” she said. “That’s just how law goes — a policy is made, it’s out there, it exists; people may either agree or disagree with it, it’s either challenged or not, but that’s going to be the process for all aspects of marijuana.”

Employment, banking, housing among industry challenges

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While cannabis businesses in states such as California, where the drug has been legalized, have some protections from federal prosecution, the rules aren’t airtight.

In 2013, a memorandum was issued by then-Attorney General James M. Cole to all U.S. attorneys, which was published by the Department of Justice. Dubbed the “Cole Memo,” it set expectations for the federal government, state governments and law enforcement in states that had voted for, and implemented, legal adult-use cannabis programs.

The Cole Memo states: If you implement a strict regulatory framework and employ a seed-to-sale tracking system to monitor the growth, distribution and sale of regulated cannabis and create a transparent, accountable market, the federal government will leave it alone, according to the website BiotrackTHC.

“However, that’s not 100 percent airtight, because the feds have done raids and continue to do raids,” said Elizabeth Ashford, cannabis consultant and founder of Ceres Strategy, based in Los Angeles.

Ashford said that the only time the federal government will step in, however, is when cannabis production and consumption begins to largely affect public health and safety, a threshold that has yet to be determined.

The Rohrabacher-Blumenauer amendment, introduced in 2003, (formerly known as the Rohrabacher-Farr amendment) keeps the U.S. Department of Justice from using tax money to go after legal medical cannabis

businesses. The amendment does not apply to recreational cannabis, however.

Even with the federal memorandums and amendments in place to protect the cannabis industry, areas such as federally funded housing, employment, banking, health care and research will remain in limbo until the federal government changes the drug’s classification.

Federal employees and military veterans who use marijuana either recreationally or medically are also subject to fallout from the federal classification of cannabis.

Employment

One of the areas that requires federal decriminalization of marijuana for state law to take affect is employment — employers can penalize or refuse to hire workers who fail drug tests prior to being hired.

“Drug testing in the workplace hasn’t really changed, and business employers have the discretion on how to discipline their employees,” said attorney Christoff Hickok, of the Shevin Law Group, which specializes in cannabis law and consultation. “There’s nothing in the law that protects workers’ rights to ingest cannabis, so if your boss feels you’re high on the job, they can fire you well within their rights.”

Think of it this way — legally, if you’re 21 years old, you can drink but you can’t show up to work drunk, or drive drunk, Hickok said. It’s the same situation for pot. Additionally, federal employees such as those who work for the U.S. Post Office can’t use marijuana.

Housing

Cannabis users who receive federal housing assistance, such as those who qualify for Section 8, may run into trouble finding housing. Landlords often justify



ELLIOTT SPAGAT, ASSOCIATED PRESS

In this Dec. 14 photo, U.S. Border Patrol agents use a drug-sniffing dog to check vehicles at California’s Pine Valley checkpoint, on the main route from Arizona to San Diego. California legalizes marijuana for recreational use Jan. 1 but that won’t stop federal agents from seizing small amounts on busy freeways and backcountry highways.

kicking renters out for possessing “illegal drugs” under the federal Controlled Substances Act, Hickok said. Most landlords don’t want to risk breaking federal law, or losing funding.

“Essentially, you’re living in a state/city where it’s legal to smoke, but it’s still illegal to do so in your apartment,” Hickok said.

According to Ashford, after Jan. 1 landlords won’t be able to evict people for possessing the amount of cannabis that’s legal under state law.

“They’re going to want to make smoking (anything) illegal under terms of a lease inside a house, so I can see them working the same thing for cannabis,” Ashford said. “However, since it’ll be legal for adults over 21 to possess a certain amount of marijuana, any prohibitions a landlord wants to issue must

align with the law.”

That means, Ashford said, that because marijuana is legal landlords cannot arbitrarily tell renters that they can’t have marijuana on the premises.

“They can say, if tenants want to rent from their building, they aren’t allowed to smoke it in the building, or anywhere on the property,” Ashford said. “That’s ... the power that they’ll have.”

Banking

Banking has proven to be difficult for cannabis businesses because banks are federally insured, and there is no policy for handling money generated by the industry. The result is that many are sitting on top of cash, Ashford said.

Many major banks are insured by the Federal Deposit Insurance Corporation (FDIC), which means most “can’t work with

“Essentially, you’re living in a state/city where it’s legal to smoke, but it’s still illegal to do so in your apartment.”

Christoff Hickok,
attorney with the
Shevin Law Group

cannabis businesses,” Ashford said. Cannabis business owners seeking to open bank accounts will be turned away. Additionally, they can’t write checks from accounts that hold money generated by cannabis, “so all the basic things most regular businesses use bank accounts for aren’t as available for them,” Ashford said.

“That means, people are literally sitting on piles of cash,” she added. There are so many challenges in the banking industry alone because cannabis is a Schedule 1 drug, she said. “It’s not just an issue of paying rent, it’s like for employers who need to do payroll, or pay taxes.”

Additionally, there are a lot of practical concerns for cannabis business owners who have a high volume of cash lying around — everything from counting it, to shipping it, and avoiding the theft.

Very few banks in the state will do banking with cannabis businesses, because those who agree to do so “are risking their FDIC insurance,” Ashford explained.

Ashford said many stakeholders in the cannabis industry hope the state will develop options to deal with revenue, whether it’s to develop a cash transport system, or charter a bank to keep a level playing field for marijuana businesses.

“Obviously, there are things the state can do, but until marijuana is rescheduled by the feds, these conflicts are still going to exist,” Ashford said.

Sheriff's Narcotics Unit could double if county OKs cannabis

More investigators, employees needed to help regulate

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As county officials grapple with whether or not to allow the cannabis industry to grow on the Central Coast, one key issue is the cost of enforcement.

Initial estimates put the price tag for Santa Barbara County's initial enforcement efforts — licensing, compliance checks, inspections — at more than \$2 million in the first year. From there, the cost is expected to grow to more than \$3 million per year.

Part of that enforcement effort would require beefing up the sheriff's Narcotics Unit, which could ultimately double that force.

The Sheriff's Office now has five narcotics investigators and one sergeant assigned to its Narcotics Unit, according to sheriff's Lt. Brian Olmstead.

If cannabis is allowed within county borders, six investigators would need to be assigned to licensing, compliance and illegal grows, in addition to a supervising sergeant and two civilian employees to complete data analysis and other needed duties, Olmstead said.

"We are talking about a very hefty enforcement team," said 5th District Supervisor Steve Lavagnino.

Beyond cannabis investigations, the Narcotics Unit would have to continue its other duties — combating the spread of methamphetamine, heroin and other drugs, assisting in homicide investigations and surveillance, Olmstead said.

County leaders estimate that in addition to adding to Sheriff's Office personnel, they would need to add 14 full-time employees

"Funding for enforcement activities to reduce the unregulated and illicit cannabis market is largely anticipated to need to come from general county revenues."

Dennis Bozanich, Deputy County Executive Officer

the first year, then an additional 10 employees over the next few years. Those employees would be assigned to various departments associated with regulating the cannabis industry.

If Santa Barbara County leaders agree to allow the cannabis industry to grow, the first step would be expanding the Sheriff's Office, the planning and development divisions, and other offices and facilities. Then, they would have to determine how to fund that expansion.

Deputy County Executive Officer Dennis Bozanich said a majority of the funds needed to support and enforce cannabis laws will have to come from the county's general fund.

"Funding for enforcement activities to reduce the unregulated and illicit cannabis market is largely anticipated to need to come from general county revenues," he explained.

Supervisors are in the process of developing a tax and fee structure for cannabis that could help pay for the expansion of services, with the options including levying gross receipts taxes or an across-the-board percentage tax on cannabis businesses. Voters will



FRANK COWAN, CONTRIBUTOR

Santa Barbara County Sheriff's Lt. Brian Olmstead, right, talks to a witness in Orcutt, in March 2016. Olmstead believes if legal cannabis is allowed within county borders, additional investigators and staff would be needed for licensing, compliance checks and data analysis.

have the final say on what a tax structure will look like in a ballot measure to be proposed for either June or November 2018.

If a new tax structure is not created, it could prove devastating to county coffers.

"If a cannabis tax is not placed on the ballot or is defeated by voters, the cost of illegal cannabis enforcement would be competing for general revenues used for many other county programs," Bozanich said.

The county Board of Supervisors could decide that the financial risk may not be worth the reward and bar the industry from doing business in the unincorporated parts of the county. If they take that path, new taxes and a ballot measure would not be needed.



LEN WOOD, STAFF

Santa Barbara County supervisors Steve Lavagnino, left, and Das Williams listen to a Dec. 12 discussion on marijuana during a meeting of the Board of Supervisors in Santa Maria.

DUI

From A1

Patrol headquarters spokesperson. "We'll be treating DUID (driving under the influence of drugs) arrests the same way we've been treating drunk-driving arrests.

"If you're impaired, you're impaired; it doesn't matter whether what you consumed before driving was legal or not."

Officers will continue to conduct blood tests and field sobriety tests for people who got pulled over for moving violations if they detect motor impairment, Coffee said.

Drug impairment on rise

According to statistics compiled by the National Highway Traffic Safety Administration, the percentage of drivers in fatal crashes who had an impairing drug other than alcohol in their system increased from 26.2 percent to 42.6 percent between 2005 and 2015.

In 2012, a roadside survey in California showed more drivers tested positive for drugs that may impair driving (14 percent) than did for alcohol (7.3 percent.) Of the drugs that were identified, cannabis was the most prevalent, at 7.4 percent, slightly more than alcohol, said Rhonda Craft, director of the Office of Traffic Safety.

"It's taken more than 35 years to convince the vast majority of the public that driving under the influence of alcohol is dangerous, illegal and socially unacceptable," Craft said. "With more dying on our roadways every day, we can't afford to take that long when it comes to driving under the influence of prescription drugs, marijuana, illicit drugs and even some over-the-counter medications."

The message "DUI doesn't just mean booze" has taken on increased importance as recreational cannabis becomes legal in California, Coffee said.

Planning for legalization

"When Prop. 64 passed in 2016, our offices statewide stepped up efforts to determine and detect drug and alcohol impairment," Coffee said. "We've mandated a specialized training program called ARIDE, which stands for Advanced Roadside Impaired Driving Enforcement, that helps officers be more comfortable when looking out for not just alcohol but drug impairment in drivers as well."

About 97 percent of all CHP personnel have completed the ARIDE course, said Coffee, in addition to local law enforcement agencies in every county and city throughout California.

"Whether it's medicinal or legalized cannabis, the primary



STAFF FILE

This file photo from Aug. 31, 2013, shows Police Explorers and officers with the Santa Maria Police Department Traffic Unit checking a line of cars stopped at a DUI and driver's license checkpoint.

concern has always been the safety of the motoring public," said Chief Brent Newman, of the CHP Valley Division. "We'll be sending more DRE (drug recognition evaluator) officers out to the field and continue increasing detection training efforts for our officers and local law enforcement agencies throughout the state."

Pot vs. alcohol

Toxicologists at a crime lab test blood samples collected and submitted by law enforcement following a DUI arrest, Coffee said. They measure the amount of nanograms per milliliter of THC in the blood.

California does not have a "legal limit" for drugs like it does for alcohol, Coffee said. While alcohol has a legal blood alcohol content of 0.08, officials rely on field sobriety tests to determine drug-induced impairment.

"Generally, an impaired driving investigation relies on an officer's observations of driving behaviors and symptoms of intoxication, performance on field sobriety tests and a confirmatory chemical test," Coffee said. Additionally, if an officer suspects a driver is under the influence of drugs, a drug recognition evaluator — an officer with specialized training in identifying drug-impaired drivers — may be called in.

Ongoing training

The ARIDE program was developed by the National Highway Traffic Safety Administration with input from the International Association of Chiefs of Police, Technical Advisory Panel and the Virginia Association of Chiefs of Police to address the gap in training between Standardized Field Sobriety Testing and the Drug Evaluation and Classification Program.

The program is a 16-hour classroom course, which reviews field sobriety testing, the seven categories of drugs, signs and symptoms of impairment, physiology of drugs, courtroom testimony,

report writing and drug combinations, according to the CHP.

The additional training is intended to provide officers with general knowledge about drug impairment and promote the use of drug recognition officers, Coffee said. The course allows officers to observe, identify and articulate signs of drug or alcohol impairment, or a combination of both.

"More and more personnel statewide have been receiving training and we've been stepping up efforts as Jan. 1 is right around the corner," Coffee said. "Changes in the law regarding adult use cannabis may encourage those who weren't thinking of driving under the influence to do this, and they may not be aware of how much it'll affect not just themselves but others."

A different beast

CHP Officer Dave Reed, who works for the Coastal Division and trained the majority of officers in local jurisdictions through ARIDE, said the strength and complexity of marijuana has increased over the years as farming and agricultural technology has been introduced to the industry.

"Marijuana has become a different beast the last few decades — the level of cannabinoids that affect the psychoactive parts of your brain are so much higher than they were 15 to 20 years ago ... it's definitely had a stronger impact on users," he said.

"If you went to any cannabis club, you'd see so many different strains, variations and all kinds of concentrated stuff that has high levels or maybe even low levels of THC or more cannabinoids," Reed said.

Training is important, he said, because an officer must be able to identify when someone is impaired, regardless of their physical level of intoxication. ARIDE helps officers identify and detect substance impairment, then add specific details and symptoms in police reports to substantiate

why the driver may be under the influence.

"For DUI (alcohol) in the state, you can be arrested if you're impaired, even if you're under the legal limit of intoxication according to the vehicle code," Reed said. "To make the same correlation, there's no set milligrams of detectable cannabis, or metabolites in someone's system at this point that the state has accepted."

"So the CHP is tasked with making recommendations to the law, but for a road officer who pulls someone over for driving under the influence of drugs including marijuana, they'll employ the same field sobriety tests much like for alcohol."

Standardized field sobriety tests include the horizontal gaze test, the walk-and-turn test and one-leg stand instruction test.

If someone is pulled over for erratic driving and is evaluated for drugs, a CHP officer can conduct those sobriety tests and if they show impairment in any way, the officer must articulate in the report that the person was impaired outside of those field sobriety tests, Reed said.

"While these tests aren't validated field sobriety tests to measure impairment from drugs, they're still great for assessing depth perception and time and any other element necessary to drive safely and multitask," said Reed.

Reed said that he hopes there will soon be a set level that can be universally accepted when measuring marijuana intoxication and impairment.

"Even though the public has used marijuana for a long time, we haven't been able to have two experts come in unequivocally and say without a doubt that an X amount of marijuana in someone's system equals impairment, but hopefully that can change with more experience," he said.

Local training on track

Officer Joel Asmussen of the Buellton CHP, and Officer Dave Medina of the Santa Maria CHP offices said everyone in their respective departments has attended the ARIDE course and will be on the lookout for impaired drivers, especially those who may be under the influence of marijuana after Jan. 1.

"It was my first time attending and there were lots of good information — it was definitely beneficial for all of us here in Buellton," Asmussen said. "Our jobs haven't changed — we make sure the roads are safe for everyone and we work to get impaired drivers off the road."

Medina pointed out that the law still prohibits users from having an open container of pot, or any pot exposed in their vehicle, even with the legal right to possess it. As well, drivers cannot ingest marijuana while driving.

"We all got trained on the symptoms of impaired drivers under the influence of marijuana — from the smells, side effects, etc. and we've been getting updated regularly as Prop. 64 passed last year," Medina said. "Now that marijuana is easily accessible, we just have to be alert, be aware of the trends out there and be vigilant."

Officials have also been educated on how much marijuana a motorist can legally have or transport while traveling in the state.

"I can make a traffic stop and if I smell marijuana, I can ask for ID or some proof of legal possession," Asmussen said. "If they have recreational cannabis and they're 21 and older, I can let them go, but at the same time, it doesn't mean they can have 36 pounds of it in their car or something."

Sgt. Paul Flores of the Santa Maria Police Department, whose personnel, including the Traffic Bureau, took part in the ARIDE training earlier this year, said that day-to-day impairment detection and safety enforcement around the city won't change for officers after Jan. 1.

"If someone is not driving safely and they're being pulled over and we find out they're not functional, they will be arrested obviously," Flores said. "Now that it's (pot) being legalized, we hope that some federal agencies will continue to do more work on what the legal thresholds may be for presumptive impairment, like drunk-driving."

How Santa Maria police conduct DUI investigations hasn't changed under state law, added Flores, but "if the federal agencies come up with a threshold for cannabis, that might change things in the future for both the public and law enforcement officers."

He continued: "While the presence of marijuana in your system doesn't necessarily mean you're impaired, just like if you were to go have a beer or a glass of wine with dinner and you drive, impaired driving is still illegal no matter what the new legal marijuana law is."

Future of motor safety

"Jan. 1, just a few days from now, marks the legal sales to adults," said Craft, with the Office of Traffic Safety. "As it's been in Colorado and Washington, we fully expect to see an increase in crashes due to marijuana intoxication. New users won't be ready for the increase of THC concentrations, or be ready for edibles that may hit them hard later. If you fail a roadside test, you will be arrested for DUI."

Craft said that a new safety campaign is starting statewide: "For those who consume marijuana, no matter who you are, what you call it, how you consume it, you should never drive high."