

# Traffic Safety Legal Update



Presented by:

**Kenneth Stecker**  
Michigan Traffic Resource Prosecutor  
MJI Magistrate Specialty Seminar  
July 22, 2021



**New Law- 4/1/21**

## MCL 764.9c – Appearance Tickets

- Public Act 393 of 2020, effective April 1, 2021: Amended MCL 764.9c to require persons arrested for certain misdemeanors and ordinance violations having a maximum penalty not exceeding 1-year in jail to be issued and served an appearance ticket and be released from custody.
- Public Act 39 of 2021, effective July 1, 2021: A police officer must issue and serve an appearance ticket on the arrested person and release the person from custody if the person has been arrested for a misdemeanor or ordinance violation having a maximum penalty of one year in jail and is not a serious misdemeanor, assaultive crime, domestic violence violation, or an **operating while intoxicated offense**. MCL 764.9c(4).

City	County	Case No.	Case Name	Case Type	Case Status	Case Date	Case Time	Case Location	Case Agency	Case Officer	Case Notes
Detroit	Wayne	20210000000000000000	Operating While Intoxicated	Misdemeanor	Open	2021-07-01	10:00	12345 Main St, Detroit, MI	Police	Officer	Operating While Intoxicated

## MCL 764.9c Prohibited Appearance Tickets

- Appearance tickets must not be issued to any of the following:
  - A person arrested for domestic violence in violation of MCL 750.81, MCL 750.81a, or an "offense involving domestic violence" as defined in MCL 400.1501. MCL 764.9c(3)(a).
  - A person subject to detainment for violating a personal protection order. MCL 764.9c(3)(b).
  - A person subject to a mandatory period of confinement, condition of bond, or other condition of release until he or she has served that period of confinement or meets that requirement of bond or other condition of release. MCL 764.9c(3)(c).
  - A person arrested for a "serious misdemeanor." MCL 764.9c(3)(d).
  - A person arrested for any other "assaultive crime." MCL 764.9c(3)(e).

prohibits children  
ettes.  
**prohibition** /pro  
(formal) a prohibiti  
law or rule that forbid  
ition on the carryin  
action of stopping  
especially by law: th

## "Serious Misdemeanors"/"Assaultive Crimes"

- "Serious misdemeanor" means any of the following as defined in MCL 780.811:
  - Assault and battery / domestic violence (MCL 750.81) • Aggravated assault / aggravated domestic violence (MCL 750.81a) • Breaking and entering / illegal entry (MCL 750.115) • 4th degree child abuse (MCL 750.136b) • Contributing to the delinquency of a minor. MCL 750.145. • Use of a computer to commit certain crimes. MCL (750.145d) • Intentionally aiming a firearm without malice. (MCL 750.233) • Discharge of a firearm intentionally aimed at a person without malice (MCL 750.234) • Discharge of an intentionally aimed firearm resulting in injury (MCL 750.235) • Indecent exposure (MCL 750.335a) • Stalking (MCL 750.411h) • Injuring a worker in a work zone (MCL 257.601b) • Leaving the scene of a personal injury accident (MCL 257.617a) • Operating while intoxicated/impaired resulting in property damage, physical injury, or death (MCL 257.625) • Selling/furnishing alcohol to a minor resulting in physical injury or death (MCL 436.1701) Operating a motorboat while intoxicated/impaired resulting in property damage, physical injury, or death (MCL 324.80176).
- "Assaultive crime" for purposes of determining if issuance of an appearance ticket is prohibited, means the following as defined in MCL 770.9a(3):
  - Communicating a threat to MDHHS employee (MCL 750.81c) • Intentional conduct against pregnant individual resulting in physical injury to embryo or fetus (MCL 750.90b) • Improperly marked explosives (MCL 750.212) • Stalking (MCL 750.411h) • Handling explosives while under the influence of alcoholic liquor or controlled substance (MCL 750.204c).



U.S. CONSTITUTION

## 4<sup>th</sup> Amendment to the U.S. Constitution

- “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”



## Probable Cause v Reasonable Suspicion

- Probable cause to make an arrest exists when an officer has knowledge of such facts as would lead a reasonable person to believe that a particular individual is committing, has committed, or is about to commit a criminal act. The officer must be able to articulate the facts and circumstances forming the basis for probable cause. *Nieves v Bartlett*, 587 U.S. \_\_\_\_ (2019).
- Probable cause to search for evidence or to seize evidence requires that an officer is possessed of sufficient facts and circumstances as would lead a reasonable person to believe that evidence or contraband relating to criminal activity will be found in the location to be searched. *Riley v California*, 573 U.S. 373 (2014).
- Reasonable suspicion is less than probable cause, but more than an "inchoate and unparticularized suspicion or 'hunch'"; it must be based on "specific and articulable facts", "taken together with rational inferences from those facts", and the suspicion must be associated with the specific individual. *Terry v Ohio*, 392 U.S. 1 (1968).



## 6 Major Exceptions to the Search Warrant Requirements

- **Search Incident to Lawful Arrest:** A search incident to lawful arrest does not require issuance of a warrant.
- **Plain View Exception:** No warrant is required to seize evidence in plain view if the police are legitimately in the location from which the evidence can be viewed.
- **Consent:** Consent is given by a person reasonably believed by an officer to have authority to give such consent,
- **Stop & Frisk:** Police may stop a suspect so long as there is a reasonable suspicion of a criminal act, and the officer can articulate facts leading to that suspicion.
- **Automobile Exception:** Because vehicles are obviously highly mobile, a warrant is not required to search vehicles if police have probable cause to believe the vehicle contains evidence of a crime.
- **Emergencies/Hot Pursuit:** Evidence that can be easily moved, destroyed or otherwise made to disappear before a warrant can be issued may be seized without a warrant.



**CASE LAW**

# The Stop

*Kansas v Glover*, No. 18-556 (U.S. Supreme Court, April 6, 2020)

- The deputy involved in this case ran a registration check on a pickup truck with a Kansas license plate. The Kansas Department of Revenue's electronic database indicated the truck was registered to an individual whose driver's license had been revoked.
- Without observing any other traffic infractions or identifying the driver, the deputy pulled over the vehicle, discovered the owner was in fact the driver, and cited the defendant for driving while his license was revoked.
- The United States Supreme Court ruled, "A sheriff's deputy making an investigative traffic stop after running a vehicle's license plate and learning that the registered owner's driver's license had been revoked was reasonable under the Fourth Amendment."
- The Court noted: "The inference that the driver of a car is its registered owner does not require any specialized training; rather, it is a reasonable inference made by ordinary people on a daily basis."



## *People v Mazzie*, No. 343380 (Mach App 10/23/18)

- Defendant was a passenger in a vehicle that was pulled over, and then searched by, city of Monroe police officers. Defendant moved to suppress any evidence obtained from the search of the vehicle.
- According to testimony at the suppression hearing, at least twice per month, the Secretary of State sends information to the Law Enforcement Information Network (LEIN) regarding whether vehicles are insured, as they are required to be by state law. MCL 500.3102.
- Testimony also established that city of Monroe police officers routinely pull vehicles over if the LEIN indicates the vehicle is not insured.
- Upon searching the vehicle, the officers found small pieces of "an off-white chunky substance" scattered throughout the vehicle, which tested positive for cocaine.
- The Court held "The at most 16-day lapse in up-to-date information made available through the LEIN was not so late or unreliable that it could not provide the officers with reasonable suspicion that the vehicle was uninsured."
- "The officers' unrefuted testimony was that the insurance information was extraordinarily accurate, and even without that testimony, nothing in the record suggests that the information was not sufficiently reliable to provide reasonable suspicion that the driver was operating the vehicle contrary to MCL 500.3101."



## *Heien v North Carolina*, No. 13-604 (U.S. Supreme Court, December 15, 2014)

- The United States Supreme Court ruled that, "A police officer's objectively reasonable 'mistake of law' can give rise to the reasonable suspicion necessary to uphold the stop of the vehicle."
- "It was objectively reasonable for an officer to think that the petitioner's faulty right brake light was a violation of state law, therefore, there was reasonable suspicion justifying a traffic stop."



## *Navarette v California, 572 U.S.393 (2014)*

- Police received a tip that a truck had recently run the caller off the road, and the caller gave a specific description of the make, model, color and license plate of the vehicle.
- Police found the truck and followed it for about five minutes, but did not observe any suspicious behavior. Nonetheless, they conducted a traffic stop and found thirty pounds of marijuana in the truck.
- At trial, the defendants argued the tip was unreliable.
- The Supreme Court found the tip to be reliable and held that law enforcement does not need to personally observe criminal activity when acting upon information provided by an anonymous 911 call.



## *People v Pagano, No. 159981 (Michigan Supreme Court, April 22, 2021)*

- A police officer was informed by central dispatch of a 911 call that had been made. The caller was anonymous. The caller was concerned because the defendant had children with her, and she was yelling at them; appearing to be obnoxious; and appeared to be intoxicated that was causing her behavior with the children. The defendant then drove away.
- The caller relayed the vehicle's license plate number and the direction in which it was traveling, as well as the vehicle's make, model, and color. Within 30 minutes of the 911 call, the officer observed defendant's vehicle, which matched the caller's description. The officer followed the vehicle for a short time to corroborate the identifying information.
- During this period, the officer did not see defendant commit any traffic violations. The officer pulled the defendant over based strictly on the 911 call information. Defendant was then arrested for operating while intoxicated.
- The Court ruled: "There was no report of even a minor traffic infraction in this case, and there is no support for the conclusion that appearing to be obnoxious and yelling at one's children creates a reasonable and articulable suspicion that one is intoxicated. All we have here is little more than a conclusory allegation of drunk driving, which is insufficient to pass constitutional muster."



## *Lange v California*, No. 20-18 (U.S. Supreme Court, June 23, 2021)

- This case arose a police officer's warrantless entry into the defendant's garage.
- Lange drove by a California highway patrol officer while playing loud music and honking his horn. The officer began to follow the defendant, and soon after turned on his overhead lights to signal that the defendant should pull over.
- Rather than stopping, the defendant drove a short distance to his driveway and entered his attached garage. The officer followed the defendant into the garage. He questioned the defendant and, after observing signs of intoxication, he arrested him for driving under the influence.
- The United State Supreme Court held "Under the Fourth Amendment, pursuit of a fleeing misdemeanor suspect does not always—that is, categorically—justify a warrantless entry into a home."
- "On many occasions, the officer will have good reason to enter -- to prevent imminent harms of violence, destruction of evidence, or escape from the home. But when the officer has time to get a warrant, he must do so -- even though the misdemeanant fled."



## *People v Cartwright*, 454 Mich 450 (1997)

- The "exigent circumstances exception" allows POs to enter a dwelling without a warrant if they have PC to believe both a crime was recently committed on the premises, and the premises contain evidence or perpetrators of the suspected crime. Must also establish the existence of an actual emergency on the basis of specific and objective facts indicating that immediate action is necessary to:
  - 1) Prevent the imminent destruction or removal of evidence;
  - 2) Protect the police officers or others, or
  - 3) Prevent the escape of a suspect.
- Specific exigencies that justify entries without a warrant include:
  - 1) The hot pursuit of a fleeing felon,
  - 2) To prevent the imminent destruction or removal of evidence,
  - 3) To preclude a suspect's escape, and
  - 4) Where there is a risk of danger to police officers or others inside or outside a dwelling.



## *Collins v Virginia*, No. 16-1027 (U.S. Supreme Court, May 29, 2018)

- During the investigation of two traffic incidents involving an orange and black motorcycle with an extended frame, Officer Rhodes learned that the motorcycle likely was stolen and in the possession of the defendant Collins.
- Officer discovered photographs on Collins' Facebook profile of an orange and black motorcycle parked in the driveway of a house, drove to the house, and parked on the street.
- Without a search warrant, the Officer walked to the top of the driveway, removed the tarp, confirmed that the motorcycle was stolen, took a photograph of the uncovered motorcycle, and returned to his car to wait for Collins. When Collins returned, Officer arrested him.
- The Court held "Because the scope of the automobile exception extends no further than the automobile itself, it did not justify Officer Rhodes' invasion of the curtilage."
- The Court further ruled "Nothing in this Court's case law suggests that the automobile exception gives an officer the right to enter a home or its curtilage to access a vehicle without a warrant."



## *Carpenter v United States*, No. 16-402 (U.S. Supreme Court, June 22, 2018)

- This case grew out of a series of armed robberies in Michigan and Ohio in 2010 and 2011. To prosecute its case against Timothy Carpenter, the government obtained cell-phone records that revealed his approximate location over 127 days, placing him in proximity to the crimes.
- The records were obtained under the Stored Communications Act of 1986, which allows phone companies to turn over records if the government has reasonable grounds to believe they will help a criminal investigation.
- The United States Supreme Court held in a 5-4 decision that the government violates the Fourth Amendment to the U.S. Constitution by accessing historical records containing the physical locations of cell-phones without a warrant.



# Investigatory Detention

## *Rodriguez v. United States, 575 U.S. \_ (2015)*

- "The use of a K-9 dog after the completion of an otherwise lawful traffic stop exceeded the time reasonably required to handle the matter and therefore violated the Fourth Amendment's prohibition against unreasonable searches and seizures."
- "Absent reasonable suspicion, police extension of a traffic stop to conduct a dog sniff violates the Constitution's shield against unreasonable seizures."



*People v Kavanaugh*, No. 330359 (Mich. App., July 6, 2017)

- The Trooper returned to the cruiser and told defendant that he was going to give him a warning rather than a ticket for the traffic violations. He then asked defendant for consent to search the car.
- When defendant declined to consent, the Trooper informed him that he was going to radio a request for a dog to do a contraband sniff of his vehicle and that defendant and his companion would have to remain until the dog and its handler arrived and the process completed. After about 15 minutes, the dog and his officer arrived. The dog alerted at the car's trunk. The officers opened the trunk and found the marihuana.
- The Court of Appeals ruled the "Trooper did not have a reasonable suspicion of any criminal activity sufficient to justify his extension of the traffic stop to allow for a dog sniff."



## Do Not Use The Word "HUNCH"



### Reasonable Suspicion

- For reasonable suspicion standard, officer must possess objective grounds for suspecting person detained has committed, is committing, or is about to commit a crime.
- Reasonable suspicion requires more than a hunch, but less than probable cause.

### REASONABLE SUSPICION



Reasonable Suspicion exists if specific objective facts and circumstances warrant rational inferences that a person is under the influence of alcohol or a banned substance (what?)....



# Arrest and Searches

*Schmerber v. California*, 384 U.S. 757  
(1966)

- The Court upheld a warrantless blood test of an individual arrested for driving under the influence of alcohol because the officer “might reasonably have believed that he was confronted with an emergency, in which the delay necessary to obtain a warrant, under the circumstances, threatened the destruction of evidence.”



## *Missouri v. McNeely*, 569 U.S. 141 (2013)

- The Court noted, "The State nonetheless seeks a per se rule, contending that exigent circumstances necessarily exist when an officer has probable cause to believe a person has been driving under the influence of alcohol because BAC evidence is inherently evanescent."
- The Court ruled, "Though a person's blood alcohol level declines until the alcohol is eliminated, it does not follow that the Court should depart from careful case-by-case assessment of exigency."
- "When officers in drunk-driving investigations can reasonably obtain a warrant before having a blood sample drawn without significantly undermining the efficacy of the search, the Fourth Amendment mandates that they do so."
- "Circumstances may make obtaining a warrant impractical such that the alcohol's dissipation will support an exigency, but that is a reason to decide each case on its facts, as in *Schmirler*, not to accept the 'considerable overgeneralization' that a per se rule would reflect."



## *Mitchell v Wisconsin*, No. 18-6210 (U.S. Supreme Court, June 27, 2019)

- The Defendant moved to suppress the results of the blood on the ground that it violated his Fourth Amendment right against "unreasonable searches" because it was conducted without a warrant.
- "When police have probable cause to believe a person has committed a drunk-driving offense and the driver's unconsciousness or stupor requires him to be taken to the hospital or similar facility before police have a reasonable opportunity to administer a standard evidentiary breath test, they may almost always order a warrantless blood test to measure the driver's BAC without offending the Fourth Amendment."



## How Fast THC Goes Through the Blood

- Scientific studies show that a person smoking marijuana often has 50-80 nanograms of THC in their blood after their last puff.
- 30 minutes later, that level can drop to 15-16 nanograms—an 80% drop in THC.
- 1 hour later after the last puff, the level likely drops to 5-6 nanograms.
- THC levels can then drop to 2-3 nanograms after 90 minutes.



## *Arizona v. Gant*, 566 U.S. 332 (2009)

- The Court held, “The police may search a vehicle incident to a recent occupant's arrest only if the arrestee is within reaching distance of the passenger compartment at the time of the search (in an effort to protect law enforcement) or it is reasonable to believe the vehicle contains evidence of the offense of arrest (in order to preserve evidence relating to the arrestee's crime).”



## *Byrd v United States*, 584 U.S. \_ (2018)

- The Supreme Court ruled, “The driver who is not on the rental agreement may have a legitimate expectation of privacy in the vehicle, and therefore, the police must show probable cause to support the search.”
- The United States Supreme Court rejected that— “Drivers who are not listed in the rental agreements lacked an expectation of privacy in the automobile.”



## *People v Mead*, No. 156376 (Michigan Supreme Court, April 22, 2019)

- The defendant was a passenger in a car when the police pulled it over, ordered him out, and searched the defendant's backpack. In the defendant's backpack were 5 prescription pills, 9 grams of marijuana, and 4 grams of methamphetamine. The defendant acknowledged the backpack left in the vehicle was his and he was arrested.
- The Michigan Supreme Court (MSC) overruled *People v LaBelle*, 478 Mich 891 (2007) and held “The defendant had a legitimate expectation of privacy in his backpack and therefore, the warrantless search of the defendant's backpack was unreasonable because the driver lacked apparent common authority to consent to the search.”
- The MSC ruled “A person, whether he is a passenger in a vehicle, or a pedestrian, or a homeowner, or a hotel guest, may challenge an alleged Fourth Amendment violation if he can show under the totality of the circumstances that he had a legitimate expectation of privacy in the area searched and that his expectation of privacy was one that society is prepared to recognize as reasonable.”



## *People v Moorman*, No. 349282 (Mich. App., 2/13/20)

- During a traffic stop for speeding, trooper smelled strong odor of fresh marihuana. Defendant initially denied having any marihuana in the vehicle, but then said he had harvested marihuana earlier that day. He produced a valid medical marihuana caregiver card.
- The trooper searched the vehicle to verify that the amount of marihuana in the vehicle was the allowable amount under the MMMA. He testified that his search of the vehicle was based only on the odor of fresh marihuana.
- In a motion to suppress, defendant argued that the odor of fresh marihuana alone does not provide probable cause to search a vehicle without other circumstances indicating that he was outside the allowable amounts under the MMMA.
- The COA held that the search was legal under *Kaczmariski*, and that the question was whether the trooper had probable cause to believe that defendant's possession was unlawful because of the quantity involved.
- Further, the COA held that defendant's inconsistent statements combined with the strong odor of fresh marihuana gave rise to probable cause to believe that defendant possessed more than his legal amount under the MMMA.



## *People v. Thue*, No. 353978, decided February 11, 2021 (Michigan Court of Appeals)

- The defendant was involved in a road-rage incident for which he was charged with assault and battery. He ultimately pled guilty; and was sentenced to one year of probation. As a condition of probation defendant was not to use marihuana, including medical marihuana.
- Defendant filed a motion to modify the terms of his probation to allow him to use medical marihuana. The district court denied defendant's motion.
- On appeal to the Michigan Court of Appeals (COA), the defendant argued that revoking his probation upon the use of medical marihuana would constitute the imposition of a "penalty" in violation of MCL 333.26424 of the Michigan Medical Marihuana Act (MMMA). The People argued the district court had the ability to place restrictions on a defendant's medication. The COA agreed with the defendant.
- The COA held "That provisions of the Michigan Probation Act that allow a court to prohibit a probationer's MMMA-compliant use of marijuana impermissibly conflict with MCL 333.26427(a) and (e) of the MMMA and are unenforceable."



*People v Feezel*, No. 138031 (Mich. Sup. Ct., June 8, 2010)

- Defendant struck and killed a pedestrian, Kevin Bass, with his car while traveling on Packard Road in Ypsilanti Township in Washtenaw County.
- The People charged the Defendant with several offenses, including operating a motor vehicle with the presence of a schedule 1 controlled substance in his body, causing death.
- There were 6 nanograms of 11-carboxy-THC per milliliter in defendant's blood.
- The Court ruled "11-carboxy-THC (THC-COOH) is not a schedule 1 controlled substance under MCL 333.7212 and, therefore, a person cannot be prosecuted under MCL 257.625(8) for operating a motor vehicle with any amount of 11-carboxy-THC (THC-COOH) in his or her system."



*People v Stock*, No. 160968 (Mich. Sup. Ct., July 9, 2021)

- The prosecution presented evidence, the results of a toxicology screen, indicating the presence of an unidentified metabolite of cocaine in the defendant's urine.
- The Michigan Supreme Court (MSC) ruled "The prosecution failed to identify the metabolite or demonstrate that the metabolite itself was a "controlled substance" for purposes of MCL 257.625(8)."
- Further, the MSC ruled "The prosecution's evidence showing the mere presence of an unidentified metabolite, but nothing more, was not sufficient to prove that the defendant had any amount of cocaine in her body at the time of the motor vehicle collision."
- Therefore, the MSC reversed two convictions for operating a motor vehicle while intoxicated causing death (cocaine metabolite) and operating a motor vehicle while intoxicated causing a serious impairment of a bodily function (cocaine metabolite).



*People v Hyde*, No. 282782 (Mich. App., 9/1/2009)

- The Court held that taking the blood sample under the implied consent law was improper due to the defendant's diabetes.
- Therefore, the Court concluded that the defendant's blood was unconstitutionally seized in violation of the 4<sup>th</sup> Amendment the United States Constitution, and the test results should be suppressed.



*People v Arndt*, No. 300301(Mich App 12/27/11)

- Defendant did not advise the arresting officer that he was a diabetic, although defendant was asked whether he had any medical conditions and whether he was taking any prescribed medications.
- Therefore, the officer had no reason to advise the defendant that the implied consent statute did not apply to him because he was a diabetic.



*People v. Dupre, No. 350386 (Mich. App.  
12/17/20)*

- In a published decision, the COA held that the MMMA does not supersede MCL 257.625(3), the OWVI statute.
- The COA held the following: “‘Under the influence’ as used in MCL 333.26427(b)(4) is not limited in meaning to how that phrase is understood with regard to the OWI statute, MCL 257.625(1).
- “A person may be considered ‘under the influence’ of marijuana if it can be shown that consumption of marijuana had ‘some effect on the person,’ *Koon*, 494 Mich at 6, such that it ‘weakened or reduced the defendant’s ability to drive such that the defendant drove with less ability than would an ordinary, careful, and prudent driver.’ *Mikulen*, 324 Mich App at 22.”



## Legislative Update

- .08 Sunset: HBs 4308-09 are moving through the legislature and as written would repeal the sunset on the .08 BAC threshold. They moved through the first chamber and are in the second chamber’s Judiciary committee.
- OWI Set Aside: HBs 4219-20 would allow individuals to petition a court to have their first time OWI offense set aside provided it did not involve injury or death. SOS would still have the information in their records, and prosecutors & law enforcement will still have the information available through LEIN and will still be able to use it in charging, sentencing, habitual offenders, etc. The bills moved through the first chamber and are in the second chamber’s Judiciary committee.
- Etizolam: HB 4089 was one of the first bills introduced and would make Etizolam a schedule 1 drug. It received its first hearing in the House health policy committee.



# Drugs

## Kratom

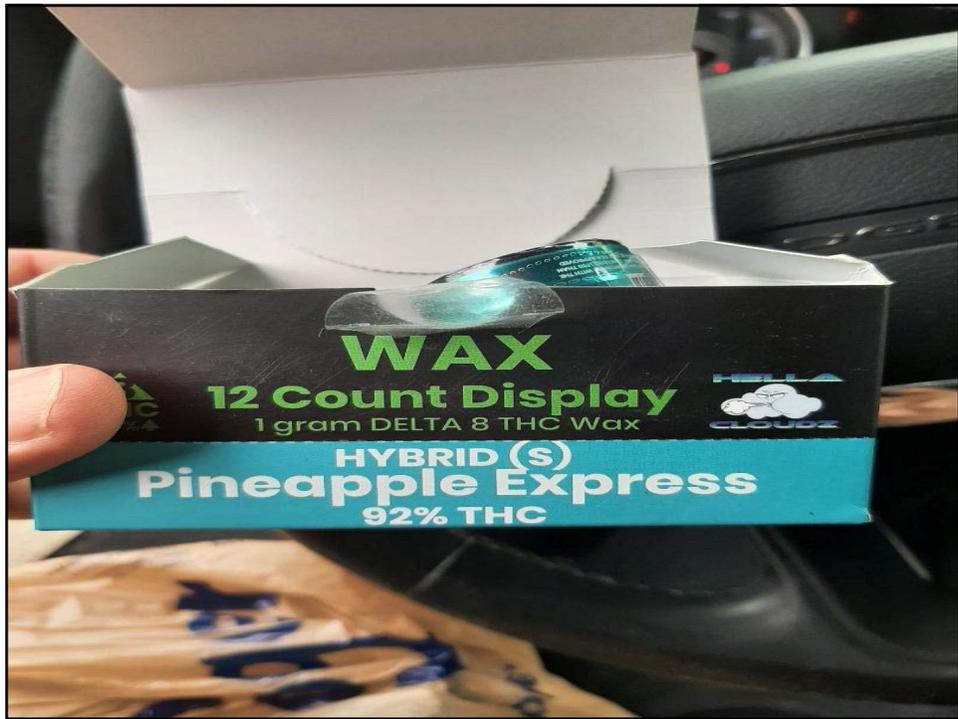
- Kratom is a natural extract from the leaves of the *Mitragyna Speciosa* tree that is native to Southeast Asia (Thailand and Malaysia).
- Kratom is heavily promoted as a legal, undetectable, safe drug that can be used to come off stronger drugs. It is not yet illegal in the United States.
- Because of its legality, the drug tends to be more popular among young people who cannot yet buy alcohol and who may be concerned about being arrested with weed or other drugs.
- The Food And Drug Administration noted recent incidents “underscore the serious and sometimes deadly risks” of Kratom, including a case in which a teenager hanged himself, and another in which a drug overdose victim tested positive for nine different substances.
- Some of the Kratom dangers include: paranoia, nausea, itching, and hallucinations.



## Delta - 8 THC

- Effective October 11, 2021, it is illegal for businesses in Michigan to sell delta-8 without proper licensing from the state's Marijuana Regulatory Agency.
- Delta-8 is a product of the cannabis plant that binds to the body's endocannabinoid system, which causes a user to feel high, similar to "regular THC" marijuana (delta-9). Due to public health concerns and the need for rigorous testing of intoxicating cannabis compounds, the Michigan Legislature recently passed legislation that categorizes all THC isomers of the cannabis plant (including delta-8) as marijuana.
- Side effects of delta-8 may be similar to those of "regular THC", including dry mouth, red eyes, short-term memory, paranoia, and anxiety. Delta-8 has not been studied extensively and more research is needed on the effects it has on the mind and body.





osehelp.com/news/society/jail-smugglers-paint-dissolved-drugs-onto-coloring-books.html

## Jail Smugglers Paint Dissolved Drugs onto Coloring Books

posted 03:10 AM EST, Mon April 04, 2011 -- filed under: Suboxone



© Cape May County

**JOIN THOUSANDS OF READERS**  
who receive our weekly recovery newsletter.

**SUBSCRIBE NOW**

**NEED TREATMENT IN REYNOLDSBURG ?**

SPEAK WITH US NOW

**844.906.0600**

24 HOURS \* CONFIDENTIAL \* FREE

**CALL NOW OR CONTACT US HERE**

ADVERTISEMENT

**Story Highlights**

- **DRUG SMUGGLING ON COLORING BOOKS:** Inmates in New Jersey were getting high on Suboxone that had been dissolved and painted onto the pages

by **John Lee**  
Editor

After an anonymous tip, authorities at the Cape May Correctional Facility in New Jersey started to closely examine the contents of coloring books that inmates had been receiving in the mail since February.

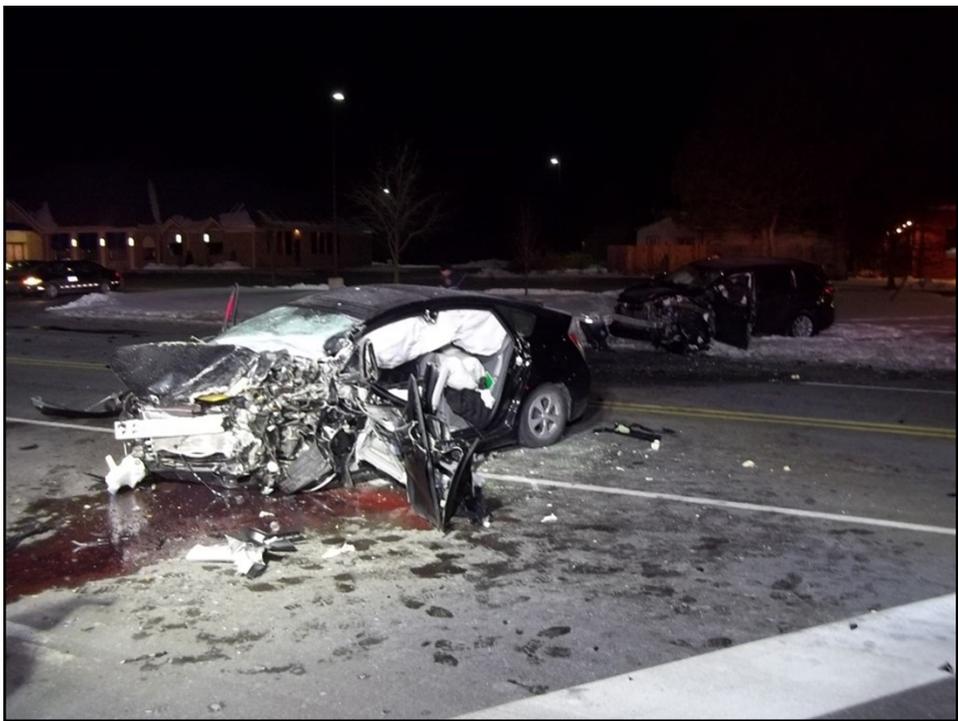
They found that the pages, which were covered in scribbling, a lot of orange 'coloring' and an inscription, "To Daddy" were actually painted with dissolved Suboxone (the orange) which inmates could

**Helpful Information**

**Suboxone: How Long Does Treatment Take?**

Four pieces of advice on how long you'll need to use Suboxone from one of America's leading experts on the use of the drug. [READ ARTICLE](#)





**Kenneth Stecker**  
**Traffic Safety Resource Prosecutor**  
**Prosecuting Attorneys Association of Michigan**

**116 West Ottawa**  
**Lansing MI 48913**

**(517) 334-6060 x 827 or 816**



**[Steckerk@michigan.gov](mailto:Steckerk@michigan.gov)**

**QUESTIONS?**

