

**Kim Reynolds**  
Governor  
**Adam Gregg**  
Lt. Governor



**Department of Public Safety**

**Stephan K. Bayens**  
Commissioner

Memo

To: DCI Criminalistics Laboratory Stakeholders  
From: Bruce Reeve, Laboratory Administrator, DCI Criminalistics Laboratory  
Jess Dunn, Drug Identification Criminalist Supervisor, DCI Criminalistics Laboratory  
Date: August 31, 2020  
Subject: Cannabis Analysis Update

The passing of the Iowa Hemp Act in 2019 and the subsequent modifications to that act in 2020 has created substantial challenges for the DCI Crime Laboratory's Drug Identification Section. These challenges are being experienced in crime labs across the country at both the state and federal level as new legislation is passed. On a positive note, the DCI Crime Laboratory now has the capability to perform semi-quantitative testing on plant material suspected of being marijuana. The semi-quantitative test will ensure the total *Delta (9)-tetrahydrocannabinol (THC + THC-A)* level is over the legal definition of 0.3% (making it marijuana) but will not identify the precise quantitative percentage contained in the sample. This method mirrors that which is currently being used by the Drug Enforcement Administration (DEA).

If the plant material tests over our decision limit for Total THC, the DCI Crime Laboratory can safely conclude the total *Delta (9)-tetrahydrocannabinol (THC + THC-A)* level is over the legal definition of 0.3% and it will be reported as "Marijuana" in the report. If the test does not produce a result over our decision limit, it will be reported as "Cannabis" and should be considered to be hemp.

Unfortunately, these new testing measures require a minimum of five (5) grams for instrumental analysis and to allow enough plant material to remain for court proceedings or defense reanalysis. As a result, the DCI Crime Laboratory will only routinely accept submissions involving plant material of at least five grams effective immediately. Should exceptional circumstances arise wherein less than five (5) grams of plant material was seized, please contact the DCI Crime Laboratory in advance of submission for further direction and/or consideration. Exceptional circumstances would include but are not limited to felony crimes of violence, crimes resulting in death or serious injury, and crimes involving weapons.

To help us address the challenges of adding the semi-quantitative test to the series of tests already performed on cannabis samples, and a rapid increase of submissions beyond our analysis capacity, we are requesting those agencies using a marijuana identification officer to continue to do so. Then, if you find the semi-quant results are necessary, the sample can be submitted to the Laboratory for that analysis.

DIVISION OF CRIMINAL INVESTIGATION • 215 EAST 7<sup>TH</sup> STREET • DES MOINES, IOWA 50319-0041 • 515-725-6010

Integrity, Fairness, Respect, Honesty, Courage, Compassion, Service

If the plant material is burnt it will not be instrumentally tested for THC levels. It will be reported as “Cannabis” as any smoking of it is illegal under Iowa law. Cannabis concentrates such as “wax”, “shatter”, and “oil” will be reported as “cannabis preparation” at this time until the semi-quant method can be validated for these preparations. Please note, processing cannabis into these concentrate materials has the intended impact of raising the Delta (9)-tetrahydrocannabinol level significantly above 0.3%. When processing these materials in our laboratory, we do see higher levels in our non-quantitative analyses.

Finally, the DCI Crime Laboratory will no longer analyze sealed commercially labeled marijuana and CBD products that come from states where it has been legalized unless a specific request is made in advance. Officers should use the label to determine the amount and types of cannabinoids present in the product as those states require accurate packaging and testing of those products to be sold in their states.

Please forward this message on to others within your organization as you think appropriate. If you have any further questions or need to make any special requests, please contact Criminalist Supervisor Jess Dunn or Criminalist Kelli Flanagan of the DCI Crime Laboratory at 515-725-1500. Thank you.