

CRIME LAB QUOTES

“In this particular case a quantitation was not done, and therefore I could not conclude whether or not it was hemp, you're correct,” said William Ruhf, the MSP forensic scientist who completed Lorincz’s lab report.

Ruhf wrote this lab report, and then testified in April that he could not determine if this hash oil was natural or man-made. Again, this is the difference between a misdemeanor and a two-year felony.

Jay Siegel, a chemist with a PhD and the former MSU Forensic Science Director, disagrees.

“Yes, this is a preparation of marijuana. It was extracted from marijuana,” Siegel said.

Siegel told FOX 17 Lorincz’s sample, based upon the lab report, is natural marijuana.

He pointed out in this lab report’s data several tell-tale signs of the natural plant: a brown color, and several cannabinoids, including cannabidiol, cannabitol, and THC.

He said it is unreasonable to say this is man-made.

“It’s much easier to get marijuana and extract it; the syntheses are quite sophisticated,” said Siegel.

MSP forensic scientist Scott Penabaker wrote his concern to colleagues: “By going out on that limb and calling it THC, you jump

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from a misdemeanor to a felony.” He goes onto write, it is “highly doubtful any of these medical marijuana products we’re testing are synthetic.. That’s completely impractical.”

Then, controlled substances unit supervisor Bradley Choate wrote his heated opposition, including that identifying THC gives scientists two choices: one, marijuana possession as a misdemeanor; or two, synthetic THC possession, a felony; he wrote there is not a third choice.

But if lab reporting goes on like this, Choate wrote: “This could lead to the wrong charge of possession of synthetic THC and the ultimate wrongful conviction of an individual. For the lab to continue this possible miscarriage of justice would be a huge black eye for the division and the department.”

“You don’t just call up the Attorney General’s office and ask them what they think because they’re not scientists,” said Former Director of MSP Forensic Science John Collins.

Collins served as the director of MSP Forensic Science from 2010 until he said he surprised the department with his resignation in 2012 in part, because of these issues.

“In my experience, it was just a nonstop political game,” said Collins.

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“Any time that scientists, or administrators of scientific operations, if they would intentionally try to create ambiguity to create a political advantage is beyond unacceptable,” said Collins.

Collins reviewed documents in Lorincz’s case, including another email chain from Choate to the department citing their professional training materials.

Choate wrote that their conclusions are based on the evidence, not on political pressure, or other outside influences. Then he wrote, “whether or not an individual has a medical marijuana card is immaterial to how we report out our results.”

This was in response to another email, from MSP lab director Jim Pierson who wrote that lab tests from THC waxes and oils are coming back as marijuana, so they cannot arrest people.

Jim Pierson wrote, “Is there a way to get this changed? Our prosecutors are willing to argue that one speck of marijuana does not turn the larger quantity of oil/wax into marijuana.”

State police public affairs said, it is up to the prosecutors to charge crimes, and lab policy was changed to add the statement “origin unknown” when it’s not possible to determine if THC comes from marijuana or is synthetic.”