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CALIFORNIA DUI  
LAWYERS ASSOCIATION

*HOME OF THE TOP DUI ATTORNEYS IN CALIFORNIA!*

# JANUARY 2024 NEWSLETTER

## 1.) REPORT ON NORTHERN CALIFORNIA HOLIDAY DINNER MEETING & SAN DIEGO HOLIDAY MIXER

Special thanks to Immediate Past President **Joshua Price** & Treasurer **Philip Gagnon** for hosting a holiday mixer in downtown San Diego on Thursday, December 7. About twenty CDLA members and guests attended. The annual Northern California Holiday Dinner Program was held on Thursday, December 14 in Emeryville. **Peter Johnson** and **Ryan Wilbur** presented an excellent program to a sold-out audience of 70 people.

## 2.) SHOUT-OUTS TO 2023 PROGRAM PRESENTATIONS & HOSTS

Our Association offered many educational programs during 2023 via webinar, at our annual conference, and through in-person educational/networking events. As we close out 2023, I wanted to recognize those CDLA members - and outside professionals - who served as presenters & hosts for these programs:

### MONTHLY WEBINARS

(All available on demand for 24/7 viewing via our website - and eligible to earn MCLE credits!)

#### **Dr. Stefan Rose**

JANUARY 2023: How to Challenge the THC Evidence in Every Case

#### **Ed Barley**

FEBRUARY 2023: Cross Examination of the State's Expert

#### **Lara Gressley**

MARCH 2023: Miranda & DUI

#### **Dr. Bong Walsh**

APRIL 2023: Human Factors

**Lynn Gorelick**

MAY 2023: Ethics & Diversity in Your Legal Practice

**David Salvin**

JUNE 2023: A California Firearms Primer for DUI & Criminal Defense Attorneys

**Tara Godoy**

SEPTEMBER 2023: Head Trauma, Comprehensive, & Intoxication: What to Look for in Every Case

**Okorie Okorochoa**

OCTOBER 2023: DUI Forensics: How to Support Your Expert & Discredit the State's Charlatan

**2023 ANNUAL KUWATCH CONFERENCE**

Speaker Hosts & Introductions:

**Manny Daskal**, CDLA President

**Philip Crawford**

**Lynn Gorelick**

**Erica Madrid**, CDLA Secretary

**Peter Johnson**

**DECEMBER IN-PERSON MEETINGS**

San Diego Holiday Mixer (12/7/23)

HOSTS:

**Joshua Price**, Immediate Past President

**Philip Gagnon**, Treasurer

Northern California Holiday Dinner Meeting (12/14/23)

PRESENTERS:

**Peter Johnson**

**Ryan Wilbur**

Thank you to all of these presenters and hosts for supporting our Association during the past year.

**3.) JANUARY FREE MCLE WEBINAR**

<b>DATE:</b>	<b>Wednesday, January 10, 2024</b>
<b>TIME:</b>	<b>4:30 to 6:00 p.m.</b>
<b>PRESENTER:</b>	<b>Blake Stutzman</b>
<b>TOPIC/PROGRAM:</b>	<b>THC/Cannabis Toxicology: Recognizing Impairment</b>
<b>MCLE:</b>	<b>1.0 Credit Hours</b>
<b>COORDINATOR:</b>	<b>Dr. Roger Andersen, CDLA Executive Director</b>
<b>COST:</b>	<b>FREE!</b>
<b>REGISTRATION LINK:</b>	<b><a href="https://www.californiaduillawyers.org/THC-RECOGNIZING-IMPAIRMENT">https://www.californiaduillawyers.org/THC-RECOGNIZING-IMPAIRMENT</a></b>

## **WEBINAR DESCRIPTION, HIGHLIGHTS, & OUTCOMES**

This is a 60-minute presentation that reviews several different types of medical records. With the legalization of marijuana and the recent innovations in the delivery and ingestion of Cannabis in both psychoactive and non-psychoactive forms, there has been a surge of Cannabis related cases in the criminal arena. This presentation is designed to educate attorneys and investigators on the DRE process and how it applies when Cannabis is the drug perceived to be resulting in impairment.

### **Highlights:**

1. Chemical breakdown/Toxicology
2. Retrograde extrapolation discussion
3. DRE – a review of the 12-step evaluation
4. Scientific studies
5. Court cases
6. Pitfalls Objectives

### **Outcomes:**

Upon completion of this course, the attendee will: 1. Be familiar with the chemical breakdown of THC and understand the psychoactive vs non-psychoactive metabolites. 2. Have an understanding of the DRE 12-step process. 3. Be aware of the pitfalls of Field Sobriety Tests and the DRE examination. 4. Be familiar with some studies and court cases related to THC and DRE examinations

## **PRESENTER: BLAKE STUTZMAN**

Blake Stutzman earned his BS in toxicology from Northeast Louisiana University. Blake has been in the forensics field for 25 years. He has over 19 years of working in the Louisiana State Police Crime Lab where he gained the knowledge and foundations of his career working in the narcotics and toxicology division. During this time, he also served as a qualified expert witness and presented scientific data and results to judges and jurors. In addition, he has also presented facts in depositions for civil cases. He has also acted as a guest speaker at DRE training for law enforcement officers as a Forensic Specialist, and an adjunct professor teaching a toxicology course at Our Lady of the Lake Hospital in Baton Rouge for their forensic science program.

## **ADDITIONAL INFORMATION**

- Brief presentations from our Sponsors will be held prior to the start of this webinar.
- This program will be recorded and added to CDLA's Learning Management System.
- 16 CDLA webinars are available on-demand 24/7 via the CDLA website (& to earn MCLE credit!)
- The PowerPoint presentation will be sent to all attendees along with a Certificate of Attendance (1.0 credit hours) and a brief evaluation survey.

Please contact me with any questions registering for this webinar - or any CDLA membership issue!

#### **4.) NEW MEMBERS IN DECEMBER**

**MEMBER:** Keuren Parra Moreno  
**ORGANIZATION:** The Law Offices of Patrick Kolasinski  
**EMAIL:** keuren@kolasinskilaw.com  
**TELEPHONE:** 209-402-8427  
**COUNTY:** Stanislaus

**MEMBER:** Andrew Quan  
**ORGANIZATION:** Law Offices of Andrew Quan  
**EMAIL:** andrew@quan.legal  
**TELEPHONE:** 510-394-2466  
**COUNTY:** Contra Costa

**MEMBER:** Heather Melone  
**ORGANIZATION:** Wellspring Law  
**EMAIL:** hmelone@wellspringlaw.com  
**TELEPHONE:** 619-431-1771  
**COUNTY:** San Diego

**MEMBER:** Boris Bindman  
**ORGANIZATION:** Law Office of Boris Bindman  
**EMAIL:** bindmanlaw@gmail.com  
**TELEPHONE:** 415-634-7040  
**COUNTY:** Contra Costa

**MEMBER:** Dana Gross  
**ORGANIZATION:** Sonoma County Public Defender  
**EMAIL:** dana.gross@sonoma-county.org  
**TELEPHONE:** 707-565-2791  
**COUNTY:** Sonoma

**MEMBER:** Andrew Grundman  
**ORGANIZATION:** Grundman Law  
**EMAIL:** ag@grundmanlaw.com  
**TELEPHONE:** 916-273-4811 x 15  
**COUNTY:** Sacramento

#### **5.) SCAM ALERT! (New button/tab added to CDLA website)**

After discussion at its 12/5/23 meeting, the CDLA Board of Directors agreed to create a new tab (or "button") on our website warning about scams and misleading/false claims made by firms like *Your DUI Solutions*:

## **SCAM ALERT!**

CDLA members have received many complaints from clients that some companies are practicing law without a license and that the advice provided to prospective clients is misleading or wrong. These firms are very aggressive in soliciting clients. They often “promise” or “guarantee” a positive resolution of their DUI issue – for a fee, of course.

CDLA strongly recommends that clients file a complaint with both the Department of Insurance and the California Attorney General to report these unethical practices:

**Department of Insurance:** <https://www.insurance.ca.gov/01-consumers/101-help/index.cfm>

**CA Attorney General:** <https://oag.ca.gov/contact/consumer-complaint-against-business-or-company>

### 6.) **MEMBER SPOTLIGHT: SUZANNE PERRY**



I am the founder of Salient Analytical Services, and a 40+ year veteran of scientific spectrometry and analytical chemistry technology, providing analyses and meaningful data to clients in university, medical, and corporate scientific laboratories. I completed my B.Sc. (Hons) and M.Sc. (Hons) degrees in Gas Chromatography FID (HS GC FID) and GC–Mass Spectrometry (GCMS) in Biochemistry at Rutgers University and have advanced technical knowledge in enzyme-based immunoassays drug screens. In 1986, I was a scientist at Mycogen Corporation (now Dow AgroSciences) in San Diego, responsible for development of immunoassays and received two international patents for my work. I gained experiential knowledge in collection, handling, processing, instruments, and analysis of biological samples in clinical settings. This informed me of the critical gaps between hospital clinical screens and forensic analyses for the detection and quantitation of drugs and alcohol in biological specimens. At Mycogen, I also worked in microbiology and fermentation chemistry which foundations I bring to the courtroom in alcohol cases.

During my 24-year tenure at University of British Columbia, I developed the largest nonprofit mass spectrometry core facility in western Canada under the direction of 1993 Nobel Prize-winning chemist Dr. Michael Smith. My core facility was housed in 3 locations including the Centre for Blood Research. I taught analytical chemistry at both graduate and undergraduate levels. My lab's analyses are cited in over 60 peer-reviewed medical papers. I was a chromatography column consultant and distributor for polyLC INC (USA) for over eight years as well as a technology transfer consultant to ISO-accredited labs.

I began my work in Subject Matter Expert (SME) in Analytical Chemistry in 2014. In 2016, I studied at BCIT School of Nursing and obtained my Venipuncture Certificate in Phlebotomy. I routinely consult and testify on Approved Medical Practices (AMP) regarding forensic and hospital/clinical blood collection. My phlebotomy certification rounded out my ability to speak on "Draw to Data" issues in forensic toxicology analyses of alcohol and drugs. From 2016 to 2018, I was a Contract Faculty Member at Kwantlen Polytechnic University in Criminology and Criminal Justice. Here I honed my ability to speak of complex science topics and their intersection with the law with clarity and patience to provide the listener with agency in tackling these concepts.

I've lectured on the FDA 2019 recall of the grey cap tubes from Becton Dickenson and their impact on the reliability of the analytical results, as well as the current 2022 FDA Class 2 Recall of grey capped tubes off-gassing isobutylene into specimens. I am currently involved in statewide hearings in Washington regarding use of blood sampled from expired grey topped tubes. To date, 3 WA state counties have excluded data from blood obtained from expired tubes.

I have testified over 85 times across the USA and 3 Canadian provinces including more than 15 counties in CA in addition to over 125 APS hearings. I provide comprehensive reviews of the data in criminal and civil cases, as well as on behalf of public defenders since 2014. I've vetted data from forensic labs in 17 US states. My SME work encompasses review of DUI (alcohol/drugs), seized drugs, workplace drug testing and sobriety compliance testing, child custody cases, ante- and





CDLA Board of Directors