

Quick Facts on Seized Drugs as a Forensic Discipline

In the Seized Drugs section, analysts receive a variety of evidence to analyze to determine whether or not it is illegal or controlled. Types of evidence submitted to the section for analysis include: powders, crystals, pharmaceutical and clandestine tablets, plant material, drug paraphernalia such as scales, residues, smoking devices, tetrahydrocannabinol (THC) edibles, blotter paper, liquids, oils, and samples from methamphetamine laboratories. Seized Drug evidence can be collected at all stages of distribution, from the top of the pyramid with hard pressed powders in kilo bricks or numerous plants found at grow houses, all the way down to the hundreds of dime-sized bags at the street level. Because of the legalization of THC products in other states, Florida has seen an increase in THC edibles and electronic cigarette cartridges containing THC. This includes labeled and prepackaged gummy candy as well as homemade rice cereal treats, cookies, and brownies that are suspected to contain THC.

FDLE Seized Drugs sections have seen an increase in clandestine produced tablets that typically contain large amounts of caffeine with a combination of Methamphetamine, bath salts, and/or MDMA. These tablets are received in all shapes and colors, including markings such as monkey face logos, cartoon characters, car logos, and even tablets mimicking a U.S. President's face. Another version of clandestine tablets are ones that are produced to look like pharmaceutical tablets, with the same markings and coloring, but contain entirely different controlled and/or non-controlled substances. Recently, the majority of Xanax (Alprazolam) tablets submitted have been found to be fakes. Tablets with markings indicating they contain Oxycodone or Hydrocodone but instead contain Fentanyl, which can be fatal even in minute amounts, are also on the rise.

Some of the most commonly detected controlled substances include Cocaine, Heroin, Fentanyl, Methamphetamine, Eutylone, Oxycodone, Hydrocodone, Alprazolam (XANAX), MDMA, THC, Steroids, and Cannabis, as well as new and emerging drugs, such as those found in the drug classes outlined within Florida Statutes 893.03. On average, 10% of the cases submitted to the laboratory in the Seized Drugs section do not contain controlled substances at all. One common misconception about the Seized Drugs section is the ability to determine every component of which an item of evidence is comprised. Our instrumentation is set up to test for only controlled substances as outlined in the Florida Statutes; we do not test for poisons, heavy metals, or chemicals related to arson and explosives.

Cases vary in complexity and average anywhere from 1 to >15 items per case. For cases where numerous items are submitted, the analyst is responsible for testing up to highest penalty per subject. In large cases, this may require testing hundreds of samples to reach a trafficking threshold per the Florida Statutes. One case can take days, if not weeks, to complete the analysis. Then, all data and each case is reviewed independently by another analyst. Analysts are expected to complete an average of 90-95 cases per month, 1080-1140 cases per year. Along with this high-volume caseload, analysts also testify in trials and hearings and attend numerous sworn depositions. Seized Drugs analysts testify more frequently than those in other disciplines.

Common Trafficking Weights & Schedules according to the Florida Statutes:

There are five schedules (I – V) of controlled substances in FS 893.03. Schedule I substances have a high potential for abuse and currently have no accepted medical uses. Schedule II through schedule V have varying levels for abuse and medical uses, with schedule II having the highest potential for abuse and more stringent medical uses and schedule V having the lowest potential for abuse and more broad medical uses. Below is a list of examples from each schedule:

Schedule I	Schedule II	Schedule III	Schedule IV	Schedule V
Heroin GHB "Ecstasy"	Cocaine Methamphetamine Fentanyl Oxycodone	Anabolic Steroids (i.e. Testosterone) Buprenorphine (Suboxone) Ketamine	Alprazolam (Xanax) Tramadol Lorazepam (Ativan) Clonazepam (Klonopin)	Low dose Codeine syrups

In 2016, FS 893.03 was updated to include seven drug classes (located within Schedule I). The purpose of these drug classes was to decrease frequency with which the statutes required updates to add new controlled substances. Now, instead of individual substances added to the statutes, a drug may fall within a "class" based upon a set of rules. If it fits within the rules, the substances are considered controlled under the class without the necessity to be listed by name. Some substances that were already listed by name would also fall under these drug classes. There are 7 drug classes in addition to the hundreds of specifically listed drugs.

Many controlled substances that are considered to pose a higher risk of abuse have trafficking weights associated with them. These trafficking weights increase the penalty associated with the substance. For instance, most trafficking weights have 3 to 4 tiers and have increasing penalties or fines for each tier. For example, a certain drug may carry a minimum prison sentence of three, seven, or 15 years depending on the tier and specific drug. A full list of substances that are subject to trafficking penalties may be found in FS 893.135. Below is a list of common drugs that have trafficking weights associated with them:

Cocaine	Heroin	Methamphetamine	Oxycodone
28 g → 200 g → 400 g	4 g → 14 g → 28 g	14 g → 28 g → 200 g → 400 g	7 g → 14 g → 25 g → 100 g