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Possible questions for a cannabis expert witness

To establish qualifications or foundation, ask follow-up questions such as, “How many?”

What is your top academic degree? Did you receive additional honors?

Did you take science classes? Did you study botany? Did you learn about scientific method?

Have you done further academic work since college? Did you receive any CMA training?

Have you read any scientific studies and abstracts on cannabis?

Are you familiar with NIDA research and reports on cannabis? What is NIDA?

Are you familiar with the National Academy of Science’s 1999 Marijuana and Medicine?

Are you familiar with the federal Compassionate Investigational New Drugs (IND) program?

Have you observed IND patients using cannabis? Reviewed prescriptions and dosages?

Are you familiar with the Drug Enforcement Administration study on Cannabis Yields?

Have you discussed medical marijuana with physicians, researchers, patients or caregivers?

Attended any seminars on cannabis, medical marijuana, toxicology or horticulture?

What is CME or MCME training? Have you attended or participated in such trainings?

What is CLE or MCLE training? Have you attended or participated in such trainings?

Have you written books about cannabis? What were their titles?

Have you taught classes about cannabis at any universities or public events?

Have you prepared exhibits, museum displays, PowerPoint and other educational materials?

Have you observed people using cannabis products? Buying or selling them?

Have you spoken with people who grow cannabis? Have you attended cultivation seminars?

Have you seen growing cannabis gardens? Have you seen it being harvested and cured?

Have you personally grown, harvested, cured and processed marijuana?

Are you aware of the difference between medical marijuana and adult use in California?

Are you aware of the difference between licensed and illicit cannabis sales?

Have you examined any criminal cases involving charges of _____? About how many?

Have you spoken with district attorneys, police or government officials on these issues?

Have you heard police officers and experts testify under oath about these issues?

Have you had police trainings or reviewed law enforcement training materials?

Are you familiar with processes to extract cannabis concentrates, with or without solvents?

Have you previously qualified as a cannabis expert in any California courts?

Approximately how many times? Have you qualified in federal and other state courts?

Are you being paid to testify today? Is your payment contingent on rendering a set opinion?

Familiarity with the facts of the case:

Have you examined forensic evidence / read police reports / transcripts / search warrants / photos / videos for this particular case? Did you hear any courtroom testimony?

Did you examine forensic evidence or write a report for this case?

What is your general understanding of the facts in this case?

Issues concerning cultivation and yields:

Please explain the differences between outdoors, indoor and greenhouse gardens.

Please explain the difference between seedlings, cuttings and clones.

Does the sex of a cannabis plant affect its usability as marijuana? How?

How much of a cut and dried mature plant is typically leaf and how much is bud?

Do people consume the stalk? Do roots or stalk have commercial value as marijuana?

What percentages of seedlings typically are female? What happens to the male plants?

Are the female cannabis plants killed at the time of harvest or harvested repeatedly?

How does one estimate a garden's yield, by plant, by area, by amount of light or what?

How much do you estimate this garden would yield? How did you arrive at your estimate.

How long would this amount of cannabis typically last a person?

Is there any way to guarantee that this garden would survive to be harvested?

What is meant by the phrase, "growing against adversity?"

What might go wrong in a pot garden? Are there any signs of distress you saw here?

How sophisticated was this garden? Would you say it was amateurish? Hobbyist?

Personal consumption and dosages:

What is the difference between raw cannabis and decarboxylated [activated] marijuana?

Are you familiar with the practices of juicing and blending smoothies with cannabis?

What is the difference between a concentrate and an infusion?

What is the difference between ingestion and topical use? How is a tincture used?

Do people consume the leaf? Does it have any commercial value as marijuana?

Why do consumers (patients) prefer cannabis bud? How do people consume the bud?

Is the dosage of cannabis different when eaten as compared to when smoked?

What is the size of a typical "joint"? Can an individual consume 15 or 20 of these per day?

What is "vaporized" cannabis? Does that require more? What about cannabis in tea?

When people smoke stronger cannabis, how do they adjust their consumption levels?

Why might a personal user keep their marijuana in multiple packages?

Are consumption and dosage related to availability of cannabis?

How long can a person store cannabis and still have it be usable? Are there studies on that?

Illicit sales and intent to sell:

- Is it common for people who consume cannabis to keep an extra supply on hand?
- Is it common for people who consume cannabis to store it in multiple bags? Why is that?
- What items might you expect to find if it was intended for sale that are lacking here?
- In your opinion, is the evidence in this case consistent with personal or commercial intent?
- What might you expect to find at a commercial marijuana garden that is not here?
- What might a commercial cultivator have done differently?
- Why might an individual with a recommendation still hide their garden?
- Why might a person attempt to produce or store more than a single year's supply?
- Are there uses for a scale other than for sales, like measuring purchases or cooking with it?

Redirect or for defense to raise pre-emptively on issues of possible bias

- You've worked as a court-qualified cannabis expert for how many years?
- Were you hired contingent on your stating a set opinion of my client's innocence or guilt?
- Did anything the prosecutor asked change your opinion? Please reiterate that opinion.
- You have been a long-time advocate for legalizing cannabis, isn't that correct?
- Is your opinion about this case based on politics or on the facts in evidence?
- Did those issues affect your opinion of the evidence in this case?
- When you consider hearsay statements, do you consider the reliability of the source?

Religious use and Cantheism:

- Objection, under EC 789 religion is an improper topic for purposes of cross-examination.
- What is *Cantheism*? So, you coined that term for an existing religious practice?
- How long ago was that? What is the Cantheist Creed?
- Does the sacramental use of cannabis extend to Christian and other religions?
- Can you give some examples of religions that have traditionally used sacramental cannabis?
- Is there any reason to believe that this cannabis was intended for religious use?
- Have you participated in events where people were consuming cannabis sacramentally?
- Why do you feel that now is a good time to bring back the spiritual aspect of cannabis use?
- Have you formed a church, parish, congregation or what not?
- Would being a Cantheist allow you to lie to get someone out of legal trouble?
- Is your opinion in this case based on your religious beliefs or on the facts in evidence?

Voir dire for police and prosecution experts:

Are you a doctor? A pharmacist? A botanist? A medical marijuana patient?

Of your law enforcement training, specifically how much time was spent on cannabis?

How much of it was taught by physicians, scientists or active researchers?

How much of that time was dedicated to cannabis botany; to cultivation; to indoor grows; to outdoor grows; to pests; to mold; to curing; to manicuring; to calculating yields?

What did they teach you about personal adult consumption patterns and quantities; medical use; medical quality; doctor/ patient confidentiality?

How much time was spent on detection and eradication?

What written materials on personal cultivation, garden yields, medical marijuana, dosages and preparations did your instructors provide during your training? (Get discovery.)

Are you familiar with the federal DEA's 1992 publication *Cannabis Yields*?

Are you familiar with the federal IND program? Are you aware of how many pounds the government sends to each patient per year, on average? What is that?

Have you ever smoked marijuana? Are you high right now?

Have you ever grown cannabis? Harvested? Manicured? Cleaned? Measured yields?

How can a patient or an adult over age 21 legally obtain cannabis in California?

When is it legal to cultivate or possess cannabis? When is it legal to provide it to someone?

Can you understand scientific studies and apply the data, when you see it? Please look at this.

Did you weigh the wet biomass of the garden plants, excluding roots in this case?

Please use the DEA formula to calculate the bud yield based on its net fresh weight.

Did you measure the diameter or area of the plant canopies?

Please use the DEA formula to calculate the approximate yield of the garden based on the total area or the diameter of individual plants.

What things are typically found at a commercial grow site that are absent in this case?