

Chris Conrad: Questions to qualify or challenge a cannabis expert witness

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 researched and written books about cannabis? What were their titles?

You have been a long-time advocate for legalizing cannabis for patients and adults, isn't that correct?

In the course of this you have observed and spoken with consumers of cannabis? Cannabis patients?

Physicians? Cultivators? Processors? Retailers? People at dispensaries? People in the unregulated market?

Have you read any scientific studies and abstracts on cannabis?

Have you attended scientific conferences and trainings? Have you presented at any of these?

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

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

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

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

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

Have you personally cultivated, purchased and processed cannabis?

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

Are you familiar with how various products are made, such as edibles, tinctures, topicals, resin extracts, solvent extracts, mechanical extraction, dry ice, supercritical CO₂, distillate, _____?

What is your profession? What does a cannabis expert witness do?

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

Approximately how many cases have you worked on in that capacity?

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

Approximately how many times? Have you qualified in this county?

Have you qualified in federal and other state courts? Civil and criminal courts?

Have you qualified on the topic of transportation? Illicit sales? Cultivation? Processing? Yields? Means of ingestion? Dosage quantities? Indicia of intent? Odor and odor control?

Has your testimony ever been cited in the opinions of California courts of appeal or Supreme Court?

Please elaborate on any additional qualification or foundation that is the basis for that opinion.

What is the significance / relevance of that point?

Familiarity with the facts of this case

Have you read police reports / alleged statements / transcripts / search warrants / examined photos / videos for this particular case?

Did you examine forensic evidence? What did that involve?

Did you write a report for this case?

Did you hear any courtroom testimony?

Have you formed any opinions regarding the significance of various details of this matter?

Chris Conrad: Questions on personal use and consumption

What are typical ways that people use cannabis? Smoked bud and resin, consumed raw or activated in edibles and beverages, vaped bud / concentrates (dabs, pens), activated or raw tincture, FECO, topical?

Why do consumers / patients prefer cannabis flowers over leaf? How do people consume the bud?

About how much cannabis is provided in the federal IND program for patients to smoke?

Explain the difference between raw cannabis and activated / decarboxylated marijuana? So no high?

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

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

Does “vaporized” cannabis require more? What about cannabis tea?

What is the difference between a concentrate, an extract and an infusion?

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

What is meant by the terms shake and trim? Do people consume the dried leaves?

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

Are you familiar with the practices of juicing raw cannabis? Please describe the process.

Are you familiar with the practices blending smoothies with dried cannabis? Describe that process.

Let me pose you with the following hypothetical facts. _____

In your opinion, is the evidence in this case more consistent with personal use or illicit purposes?

Questions on cannabis sales and personal v commercial intent

Is it common for people who consume cannabis to have an extra supply on hand?

Is it common for people who grow or consume cannabis to store it in multiple bags?

Have people talked with you about why a personal user might have marijuana in multiple packages?

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

What items might you expect to find if this cannabis was intended for sale that are lacking here?

What might you expect to find at a commercial operation 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?

Does dry shake leaf have any commercial value as marijuana in the underground market?

In your opinion, is the evidence in this case more consistent with personal use than illicit intent?

Questions for redirect

This is an either / or question. Is your opinion offered today based on some controversial personal belief or is your opinion based on your training and experience and the evidence before the court?

So, in your opinion, is this fact consistent or not-inconsistent with the defense interpretation of evidence?

Could you please clarify or elaborate on (any specific area of concern) _____?

Did anything the prosecutor asked change your opinion? Please reiterate that opinion.