



# Legalization Lies: Marijuana's False Safety Security

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ASHLEY CLARK

# Objectives

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- ❑ Address the legalization of marijuana in the Commonwealth of Virginia
- ❑ Discuss the potential complications of marijuana legalization for Heavy Machinery Operators
- ❑ Identify signs and symptoms of marijuana intoxication and use disorder



# Federal Position on Marijuana Legalization

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Remains illegal per the 1970 Controlled Substances Act

Remains illegal (and criminalized) in 7 states

Fully legal in 16 states and the District of Columbia

Schedule I drug with high potential for abuse and no accepted medical use

(USA Facts, n.d)

# Virginia Marijuana Laws

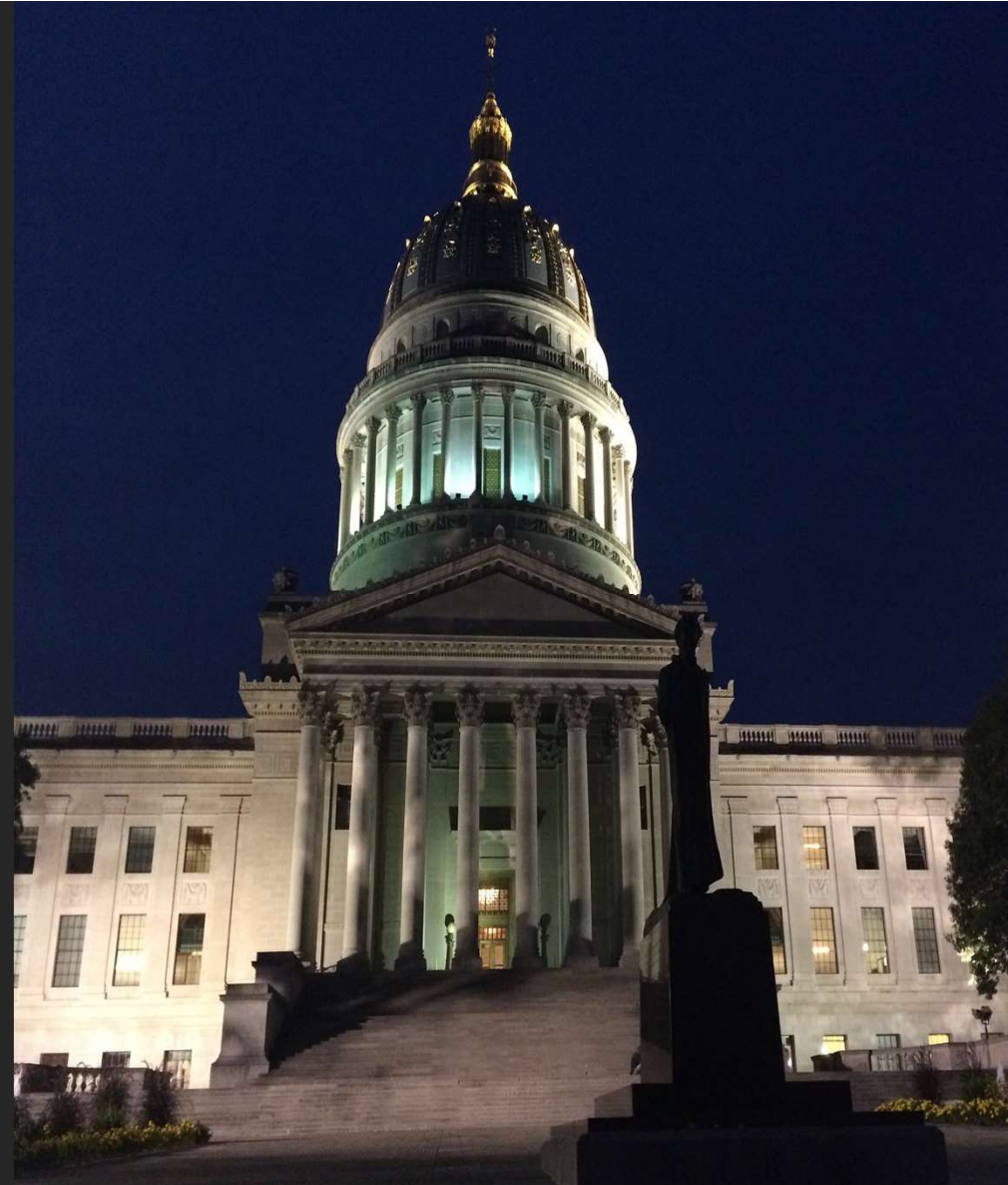
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HB2312 and SB1406 passed by the 2021  
General Assembly

Three Year process to legalize cannabis and  
prepare for regulated sale

Changes began July 1, 2021

(Commonwealth of Virginia, n.d.)





# Legal in Virginia

(As of July 1, 2021)

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Adults (21+) may possess one ounce or less of cannabis for personal use

Use in private residence (with the permission of the owner)

Ability to grow up to four plants per household (Home Cultivation)

Ability to transfer marijuana between persons (Adult Sharing) without reimbursement

(Commonwealth of Virginia, n.d.)

# Remains Illegal in VA

(as of July 1, 2021)

Possessing more than one ounce of marijuana (civil fine up to 1 pound, felony after that)

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Possessing, consuming, or purchasing marijuana (or attempt) by anyone under 21

Distributing or selling marijuana (or possession with attempt to distribute or sell)

Driving a motor vehicle, being a passenger in a motor vehicle being driven while using

Operating a vehicle while under the influence of marijuana

Consuming or offering marijuana to another person in any public place

(Commonwealth of Virginia, n.d..)

# Confusion and the Law

Legalization of marijuana does not mean that its use is safe or without consequences

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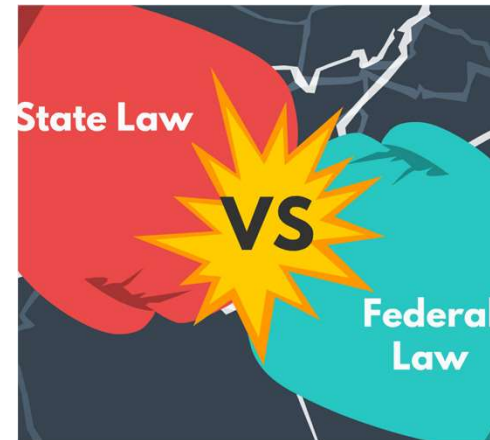
Accidents in the workplace occur but are not high profile

Operation of Heavy Machinery is a safety-sensitive position

Employers can determine standards depending on the industry

Federal laws may apply to certain industries

(Spanco, 2016)



# Why is Marijuana Dangerous?

(In the Heavy Equipment Industry)

Distorted Feelings

Loss of Coordination

Slow Reaction Times

Bouts of Confusion

Inability to Understand Clearly

Anxiety

Depression

Apathy

Sedation

Increased Heartbeat (Heart Attack Risk)

Personality or Mood Changes



Operation Monitoring

Hand and Foot Coordination

Critical Thinking

Troubleshooting

Interpersonal Skills

Team Work

(Spanco, 2016)



# Signs of Intoxication

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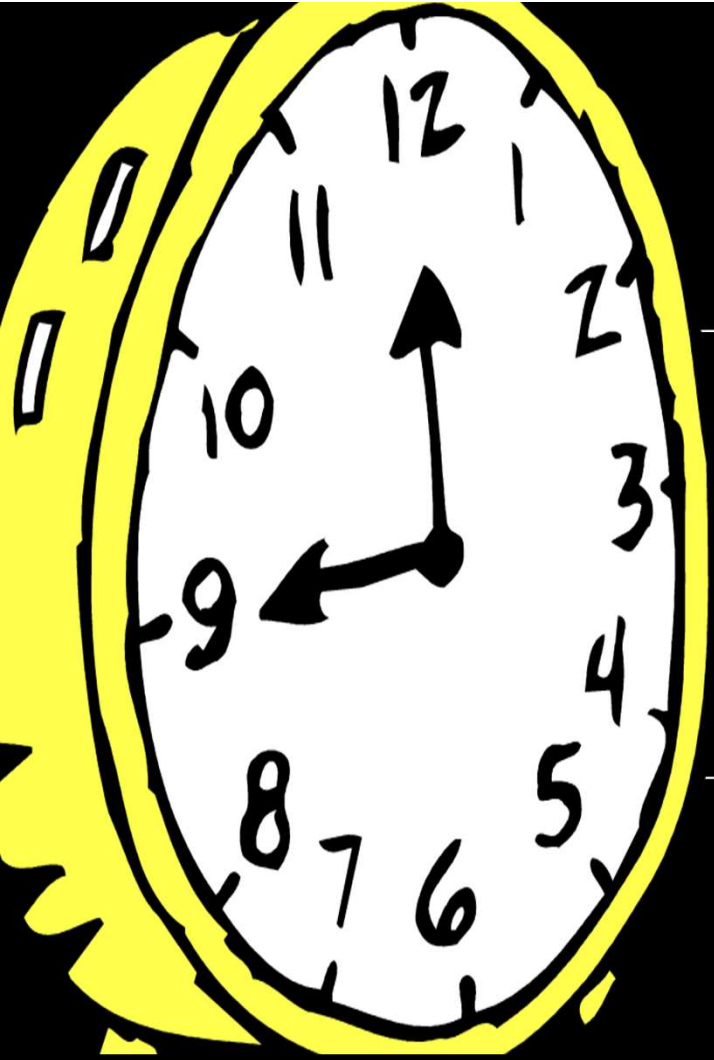
## Physical

Bloodshot Eyes  
Fast Heart Rate  
Sleepy, Lethargic  
Lack of Coordination  
Increased Appetite



## Behavioral Changes

Confusion/Lack of Focus  
Unusually Talkative  
Dropping Activities  
Misjudging Time  
Secretiveness



# A Timeline



## Peak

0 – 30 minutes

## High Experience

1 – 3 hours



## Peak

1 – 3 hours

## High Experience

4 – 8 hours

Effects can last up to 24 hours

(Colorado District Attorney Council, n.d.)

# Assessing Intoxication

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Per se limits are not a valid measure of intoxication

Observation is the only means to assess impairment

Objective observation can be difficult



# Cannabis Impaired Assessment

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## Eyes

Pink Eye (both eyes)

Lack of Convergence

Dilated Pupils



## Muscles

Observed Tremors  
(extremities)

\*upper torso and eyelids  
(closed eyes)



## Odor

Burnt Marijuana

“skunk”





# Policy Tips

Define Impairment

Address Impairment in Workplace Policies and Procedures

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Identify Rules and Regulations Regarding Items Allowed on Premise

Educate Staff about Resources to Seek Support, including Employee Assistance Program

Train Workers, Supervisors, and Managers to Identify Potential Signs

Identify whether accommodations can be provided

Identify what disciplinary action will look like

Seek legal advice on testing workers

Encourage self-disclosure

# Marijuana Use Disorder

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Greater/Longer Use Than Desired

Inability to Cut Back/Quit

Demonstrating a Great Time Investment

Craving

Inability to Fulfill Obligations

Use Despite Interpersonal Consequences

Taking Dangerous Risks

Neglecting Other Life Activities

Use Despite Physical/Psychological Problems

Tolerance

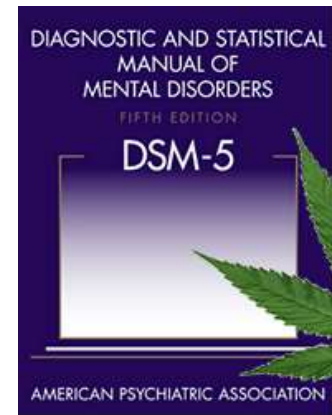
Withdrawal

2-3 Symptoms – Mild

4-5 Symptoms – Moderate

6+ Symptoms - Severe

(American Psychological Association, 2013)



**DSM-5 Criteria for  
Cannabis Use Disorder**

# Treatment Options

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Level 0.5 – Early Intervention – Psychoeducation

Level 1.0 – Outpatient – (up to 9 hours per week)

Level 2.1 – Intensive Outpatient (9 – 20 hours per week)

Level 2.5 – Partial Hospitalization (20 hours per week)

Level 3.5 – Residential

Level 3.7 – Detox (unlikely for marijuana only)

Level 4.0 - Hospitalization



# References

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American Psychological Association. (2013). *Diagnostic and statistical manual of mental disorders* (5<sup>th</sup> ed.). American Psychological Association.

Colorado District Attorney Council (n.d.). *Cannabis impairment assessment*. [https://www.tmcec.com/files/9815/2148/2503/00 - Knudsen\\_BINDER\\_Problem\\_and\\_Solutions.pdf](https://www.tmcec.com/files/9815/2148/2503/00_-_Knudsen_BINDER_Problem_and_Solutions.pdf)

Commonwealth of Virginia. (n.d.). *Cannabis in virginia*. <https://www.cannabis.virginia.gov/>

Spanco. (2016, April 12). *Marijuana in manufacturing: What is the law and how is crane safety affected*. <https://www.cannabis.virginia.gov/>

USAFacts. (2021). *How marijuana laws differ between states*. [https://usafacts.org/articles/how-marijuana-laws-are-different-between-states/?utm\\_source=google&utm\\_medium=cpc&utm\\_campaign=ND-JusticeDefense&msclkid=71b1dedcd60419f5da57bf7ac7f44a45](https://usafacts.org/articles/how-marijuana-laws-are-different-between-states/?utm_source=google&utm_medium=cpc&utm_campaign=ND-JusticeDefense&msclkid=71b1dedcd60419f5da57bf7ac7f44a45)