

APPROACHES TO SPICE REGULATIONS

Spice in Las Cruces - District Attorney's Office

District Attorney Mark D'Antonio and officials from the 3rd Judicial District Attorney's Office, in conjunction with the Las Cruces Police Department (LCPD) and the City Attorney's Office, will suggest making changes to the city ordinance used to prosecute spice. The current law does not specifically mention spice or wording to that effect. Therefore, a lot of the community, including potential jurors, do not know that spice is illegal or the dangers associated with using it. In addition to suggesting a change to the ordinance, the district attorney will propose a new partnership between his office and the City of Las Cruces (City). Under the proposed agreement, the city attorney would be notified when a person is convicted of selling spice and would have their business license revoked.

Finally, LCPD and the district attorney's office would like to create an education outreach campaign to inform residents about the dangers of using spice and punishment associated with possession and/or distribution. Meanwhile, Ruth Rivas from Spice Is Not Nice, an El Paso, Texas nonprofit, has agreed to assist.

APPROACHES TO SPICE REGULATION

3RD JUDICIAL DISTRICT ATTORNEY'S OFFICE

AFFECTING THE COMMUNITY, KILLING RESIDENTS

- Spice is easily available
- No age requirement to purchase, marketed towards kids
- Not regulated, addicting
- Deadly

PROBLEMS FACING PROSECUTORS, LAW ENFORCEMENT

- Community, jurors don't realize spice is illegal
- Possession is a petty misdemeanor or misdemeanor
- Distribution is a fourth-degree felony
 - 18 months

RECOMMENDED CHANGES

- Rewording the existing ordinance
- Creating a nuisance ordinance to target sellers
- Creating an education outreach campaign
- Creating a new policy and partnership to pull a spice dealer's business license

REWORDING THE CURRENT ORDINANCE

- **Sec. 19-342. - Abuse or possession for abuse of glue, aerosol spray.**
 - No person shall intentionally smell, sniff or inhale the fumes or vapors from a glue, aerosol spray product or **other chemical substance** for the purpose of causing a condition of or inducing symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, stupefaction or dulling of the senses, or for the purpose of in any manner changing, distorting or disturbing the audio, visual or mental processes.
 - LCPD used this ordinance 44 times between Jan. 2014 – Dec. 2015
 - 57 percent were spice-related

REWORDING THE CURRENT ORDINANCE

- Include “synthetic intoxicants” and/or “synthetic inhalants” in the title
- Add definitions to the ordinance
 - More people become aware that synthetic intoxicants like spice are illegal
 - Helps prosecutors when selecting potential jurors
 - Helps the community realize there’s a serious problem
 - More info from the city attorney’s office

CREATING A NUISANCE ORDINANCE

- Public nuisance law to sell synthetic intoxicants
- Revoke a business license for violating nuisance law
- More info from the city attorney's office

EDUCATION OUTREACH

- Host events with LCPD
 - Send a DA rep to Mobile Operations Command Center events
 - Handouts in city hall
- Handouts for smoke shops informing them of the law/changes
- CLCTV
- Presentations with Ruth Rivas, Spice Is Not Nice
 - Agreed to donate two presentations
 - City leaders can help decide locations
 - LCPD news releases

FACEBOOK STATS FROM LCPD NEWS RELEASE

- The analytics for LCPD's Facebook post on "Spice":
 - 11,194 people reached
 - 234 Reactions, Comments & Shares
 - 92 Shares
 - 273 Photo Views
 - 1,356 Post Clicks
 - 1,083 Other Clicks

RAISING AWARENESS

- September 2015
- In coordination with the 3rd Judicial District Attorney's office, Las Cruces/Dona Ana County Metro Narcotics Agency and the Las Cruces Police Department, officers educated local "Smoke shops" with "Spice" awareness flyers.

SPICE IS NOT NICE

RUTH RIVAS



WHAT ARE SYNTHETIC DRUGS?

- Synthetic drugs are a mixture of chemicals
- Trying to mimic the “high” from marijuana, cocaine, heroin
- Powerful, unpredictable, untested

MY MESSAGE

CAN MAKE THE DIFFERENCE BETWEEN LIFE AND DEATH







TEAM 21 SPICE EDUKIT



- Tests for drugs including spice
- Includes educational information
- English and Spanish

QUESTIONS FOR RUTH?



NEW PARTNERSHIP, POLICY

- DA's office will now inform city attorney's office of any distribution of spice convictions
 - Las Cruces and Dona Ana metro narcotics unit will help earmark cases
- City creates a new policy for business licenses
 - If convicted of distributing spice, business owner's license could be pulled or suspended

OTHER FEEDBACK



QUESTIONS?

