



# San Diego City Attorney Jan I. Goldsmith

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## NEWS RELEASE

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## **New Police Tools to Combat “Spice” Endorsed** *San Diego ordinance is first of its kind for California*

Top City officials today called on the City Council to approve an ordinance that gives law enforcement new tools to crack down on “spice,” “bath salts” and other dangerous synthetic drugs made from toxic chemicals. The ordinance, if approved today by the City Council, will be the first of its kind in California.

These drugs – sometimes labeled as potpourri or incense -- have flooded San Diego in the past six months, resulting in skyrocketing emergency-room trips by users who smoke them or ingest them hoping to achieve a marijuana-like high.

Instead their use can lead to seizures, comas and hallucinations, and sometimes is lethal.

Today, Mayor Kevin Faulconer, Police Chief Shelley Zimmerman and Councilmember Todd Gloria praised an ordinance prepared by the City Attorney’s Office that takes a new approach to cracking down on synthetic drugs that have previously escaped regulation.

Spice is made by liquefying chemicals in acetone -- a flammable solvent found in cleaning agents like nail polish remover -- and spraying the mixture on dry leaves. Existing laws ban some chemical combinations once used for spice. But that only led manufacturers to experimenting with new chemical combinations not covered by the law, increasing the riskiness of each new batch.

**“The unpredictability of the potency, combined with the changing chemical structure with which they are made, makes it a game of Russian roulette when users decide to ingest a synthetic drug,”** Police Chief Shelley Zimmerman said.

The ordinance drafted by the City Attorney’s Office, working closely with SDPD, takes a different approach to regulation. Rather than listing specific chemical formulas, it bans all synthetic substances designed to have a similar effect on the central nervous system as spice, even variations not yet known to authorities. Because it bans only unregulated substances, it has no effect on medicinal marijuana or any prescription drugs.

**“The people who manufacture these drugs are clever, and they’re willing to send their customers to the hospital or to the morgue in order to make a quick buck,”** City Attorney Jan Goldsmith said. **“We needed a new approach to put them out of business, and our attorneys were more than equal to the task.”**

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Mayor Kevin Faulconer noted that the ordinance gives law enforcement great flexibility in dealing with new synthetic variants, and will allow police to stay on top of whatever novel drugs pop up in coming years. No one knows what chemical formulas are being used from batch to batch.

**“This new ordinance puts San Diego on the cutting edge of solving the spice epidemic and getting many destructive drugs out of our city,”** Faulconer said. **“This ordinance is going to be a model for other cities to follow and set a gold standard throughout the state.”**

Spice poisoning calls generated \$1.5 million in ambulance charges in the City from March 2015 through April 2016, with 379 people accounting for 728 transports to hospital emergency units for treatment.

Councilmember Todd Gloria said his district has seen **“a dramatic increase in the use of Spice, with incidents downtown having increased up to 500% since late last year.**

**“This dangerous, unpredictable, and unregulated drug is putting lives at risk and tying up public safety personnel, preventing them from responding to other serious needs. I appreciate the City Attorney and Police Department’s efforts to expedite this ordinance at my request as San Diego’s neighborhoods can’t afford to wait,”** Gloria said.

The ordinance was developed under the leadership of Assistant City Attorney John Hemmerling and drafted by Deputy City Attorney Ann Marie Council, Deputy City Attorney Michelle Garland and Chief Deputy City Attorney Kathryn Lange Turner in collaboration with the SDPD Narcotics Unit and Crime Lab.

It comes before the City Council this afternoon.

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