



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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Motorist Convicted of Driving on Spice *Police found him unconscious behind the wheel on Market Street*

A participant in last winter's outbreak of spice consumption downtown has been convicted of driving under the influence of the notorious drug – a difficult conviction to obtain because spice is only illegal in specific and largely outdated chemical formulas.

The City Attorney's Office is not aware of a similar conviction for driving under the influence of spice.

Esteban Ricardo Valdez, 24, was taken into custody on January 14, 2016, after police found him unconscious behind the wheel of his car, which was still in drive and was sitting in a traffic lane on Market Street. It had previously been involved in a hit-an-run accident.

A motorist had reported seeing Valdez passed out behind the wheel earlier. When awakened by the motorist, he vomited on himself and drove off, only to lose consciousness a second time. When officers got him out of his car, Valdez was unable to stand or form sentences. An apple with burn marks – apparently an improvised pipe – fell from his lap and Valdez admitted to smoking spice.

Synthetic drugs like spice have flooded San Diego in the past six months, resulting in skyrocketing emergency-room trips by users who smoke or ingest them hoping to achieve a marijuana-like high, but instead experience seizures, hallucinations and comas. Because manufacturers use constantly changing chemical formulas, the drugs often escape regulation. Last month the City Council approved an ordinance designed to create a blanket prohibition on these novel synthetic drugs.

Valdez told officers he bought his spice from a homeless friend downtown, though it is also sold by callous merchants and illegal marijuana dispensaries such as the Pacific Beach dispensary raided last month by San Diego Police. Absent Valdez's admissions, he might not have been convicted, as the test results came back negative for the five types of spice currently regulated.

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.

“Spice is an extremely dangerous drug that puts all citizens at risk and has cost taxpayers hundreds of thousands of dollars in medical service calls,” City Attorney Jan Goldsmith said.

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While Valdez did not require hospitalization, hundreds of other spice users have.

Valdez was found guilty of driving under the influence in a six-day jury trial. Judge Sharon Majors-Lewis sentenced him to five years of probation, and subjected him to the standard conditions imposed on persons guilty of driving under the influence, including a prohibition on driving with any amount of alcohol in his system.

The case was prosecuted by Deputy City Attorney Tara Meath, who specializes in prosecuting motorists who are arrested in San Diego for driving under the influence of drugs, or drugs in combination with alcohol, under a grant from the California Office of Traffic Safety.

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