



Ready to Protect
Proud to Serve

NEWS RELEASE

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ENFORCEMENT PROTOCOL RELATED TO HOUSE BILL 2327

In recent years, the Arizona Legislature enacted House Bill 2356 (February of 2011) and House Bill 2167 (February of 2012), two pieces of legislation passed with the intention of banning synthetic drugs commonly referred to as K2, Spice, Bath Salts and other innocuous sounding names. These synthetic drugs basically replicate some of the more common street drugs known as marijuana, cocaine, ecstasy, and methamphetamines and are very dangerous, having never been properly tested on humans. They are proving to be serious threats to physical and mental health, with some reports of severe psychosis, kidney damage, and death resulting from their use. The original laws named specific chemical substances that were banned. However, manufacturers and chemists were able to circumvent the laws by simply changing the molecular structure of the various substances in order to create new products that contained no banned substances. This effectively kept synthetic drugs, which the Arizona Legislature had sought to ban entirely, still legally produced and available for purchase. The newly created or modified synthetic drugs were just as dangerous and were still creating the same problems for members of our community.

In an effort to close the loophole that manufacturers and chemists were taking advantage of to circumvent the laws created by House Bill 2356 and House Bill 2167, the Arizona Legislature revisited the problem of synthetic drug production, possession, sales, and usage via a new bill, which was presented in the 2012-2013 legislative session. Governor Brewer signed House Bill 2327 into law on April 3, 2013, allowing for the permanent banning of all synthetic drug substances. House Bill 2327 adds all related chemicals containing the “backbone” of each synthetic drug category to the list of dangerous drugs in the criminal code as well as to Schedule 1 of the Arizona Controlled Substance List. This law closes the loophole, making all versions of a synthetic drug containing the same primary “ingredient” or chemical base, regardless of molecular structure, to be classified as dangerous drugs, thus criminalizing the possession, use, manufacture, and sale of such products. It should be noted that due to the danger these products pose to public health and safety, House Bill 2327 was **enacted with an emergency clause, making it effective immediately.**

Beginning on April 25, 2013, Tucson Police Department officers will be visiting local merchants known or believed to be selling products containing synthetic drugs. The primary goal of the initial site visits will be to educate merchants on the new legislation. Officers will provide the business with a copy of House Bill 2327 and will collect any products that have become contraband under the bill. In recognition of the limited notice that merchants have had as a result of the

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For accommodations; materials in accessible formats; foreign language interpreters; and/or materials in a language other than English, please contact the Tucson Police Department Public Information Office at (520) 791-4852 or (520) 791-2639 for TDD at least five (5) business days in advance. Para arreglos; materiales en formatos accesibles; interpretes de idioma extranjero; y/o materiales en otro idioma que no sea inglés, por favor comunicarse al Departamento de la Policía de Tucson a la sección de Información Pública al (520) 791-4852 o (520) 791-2639 para TDD por lo menos con cinco (5) días hábiles de anticipación.

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emergency clause associated with this bill, no enforcement action will take place during this initial site visit. Instead, **merchants will be given the opportunity to voluntarily surrender any and all related contraband without penalty at this time.** To ensure continued compliance with the law, **follow-up site visits will occur** at a later date, at which point **violations will be prosecuted** in accordance with the statute. In addition, citizens are encouraged to surrender any and all related products to the Tucson Police Department immediately. The department recognizes that citizens may have purchased these products legally prior to the enactment of House Bill 2327. In order to provide a reasonable opportunity for individuals to voluntarily comply with the change in the law, citizens may surrender these items to the department without penalty. Contraband items may be turned in at any of the four substations or at the headquarters building, as well as to any on-duty Tucson Police Department officer.

The Tucson Police Department recognizes the health and safety risks that use of these products poses for our local community, particularly to the youth and young adult demographics that are the most prevalent users of these products. The department stands ready to enforce the law and remains committed to educating the public, including merchants, of the legal requirements associated with House Bill 2327. As such, **the community is hereby placed on notice that the Tucson Police Department will begin routine enforcement actions on April 25, 2013, and violations under these statutes by individuals and businesses will be investigated and prosecuted as with other violations of the law.**

The Tucson Police Department urges anyone with information about violations concerning the sale of products containing synthetic cannabinoids and/or cathinones/stimulants to contact the department through the non-emergency reporting number (520) 791-4444. Additional reporting options include 88-Crime, 911, or the Internet comment form at http://tpdinternet.tucsonaz.gov/Forms/complaint_form.html.

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