

# One Stop Tobacco Shop

Las Cruces Police Department  
Targeting Neighborhood Threats Unit (TNT)

# Overview

- SARA Model Community Policing
- Targeted Areas and Problems Defined
- Pre-project numbers vs. post-project numbers
- Executing POP Project
- Analyzing results
- Open Discussion and Questions

# SARA Model Community Policing

- Scan
- Analyze
- Response
- Assess

# Scan: Target Area

- 5 Hot Spots within a ½ mile radius of the intersection of W. Amador Ave and S. Valley Drive:
  - Brannigan Park
  - Gospel Rescue Mission
  - Community of Hope/Camp Hope
  - El Crucero - Residential Housing for Disadvantaged People
  - One Stop Tobacco Shop

# Scan: Targeted Problems

- Drug Use
- Trespassing
- Littering
- Drinking in Public
- Illegal Camping
- Vandalism

# Scanning



# Scan: Stakeholders

- Community of Hope - offers services to include permanent and temporary housing, medical clinic, mental health services, soup kitchen, child day care, a grocery store and assistance to obtain identification cards.



# Scan: Stakeholders

- El Crucero - Temporary and permanent housing to disadvantaged families.

# Scan: Stakeholders

- Gospel Rescue Mission - Temporary shelter, chow hall, faith based services.

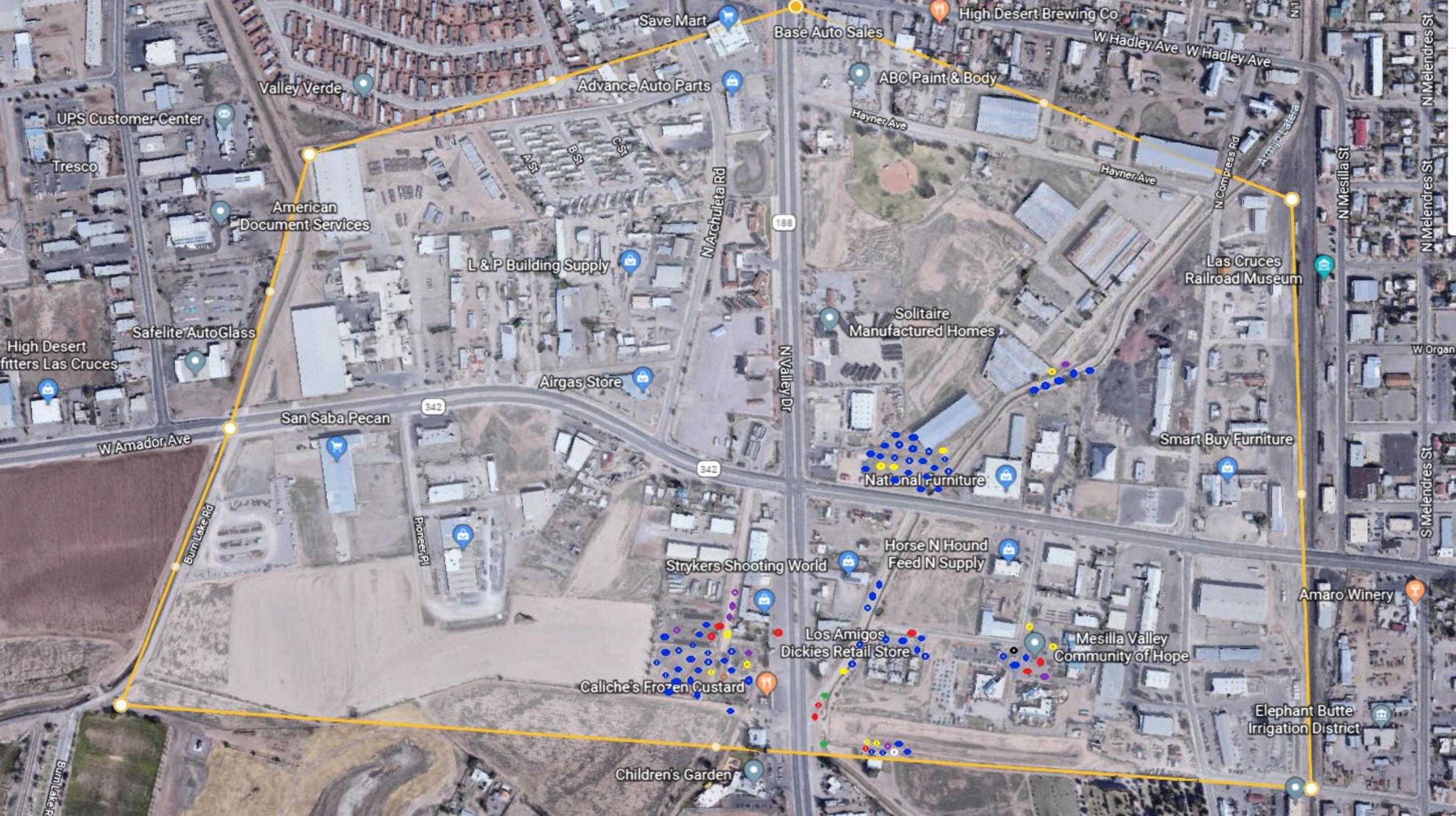


# Scan: Stakeholders

- Local property owners and businesses - include small and locally owned businesses whose operations were disrupted by trespassing, vandalism and panhandling. Property owners complained of illegal camps and large amounts of trash, needles and human waste.

# Scan: Stakeholders

- 25 Small Businesses
- 1 City Park
- 1 Bus Terminal
- 1 Child Daycare Center
- 6 Large Tracts of Vacant Land
- Elephant Butte Irrigation Department (Series of Ditchbanks)



342

Color Key:

Blue = Trespassing/Camping

Purple = Possession of Drug Paraphernalia

Red = Possession of Spice

Yellow = Arrest Warrant

Brown = Littering

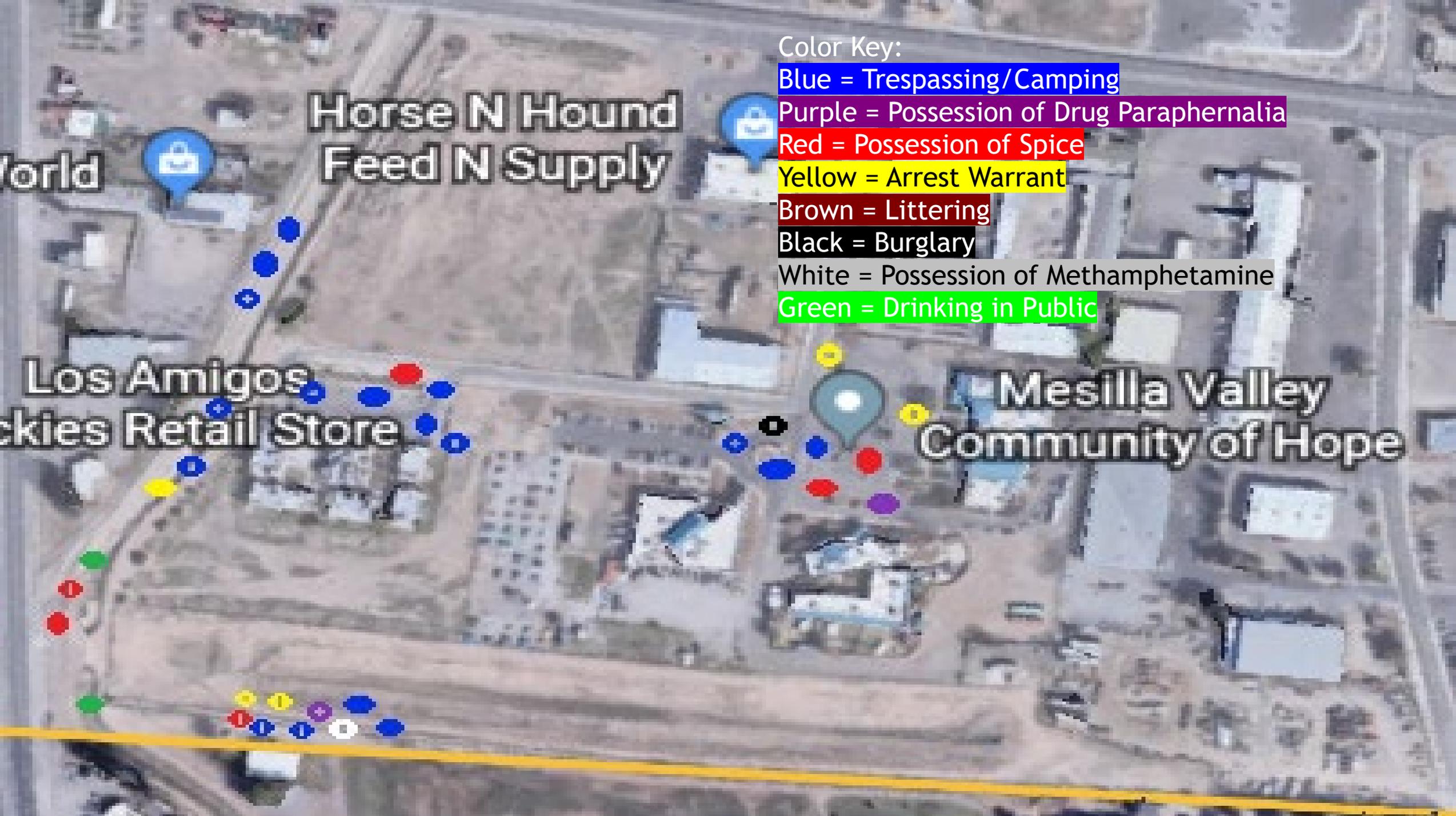
Strykers Shooting W

Caliche's Frozen Custard

Die







Color Key:

Blue = Trespassing/Camping

Purple = Possession of Drug Paraphernalia

Red = Possession of Spice

Yellow = Arrest Warrant

Brown = Littering

Black = Burglary

White = Possession of Methamphetamine

Green = Drinking in Public

World

Horse N Hound  
Feed N Supply

Los Amigos  
Chickies Retail Store

Mesilla Valley  
Community of Hope

# Solitaire Manufactured Homes

Color Key:

Blue = Trespassing/Camping

Purple = Possession of Drug Paraphernalia

Red = Possession of Spice

Yellow = Arrest Warrant

Brown = Littering

N Valley Dr

# National Furniture







# Analyze: By The Numbers

2017

Row Labels	Count of Case Number
CRIMINAL TRESPASS	36
DRINKING IN PUBLIC	1
INHALING HARMFUL VAPORS (Spice)	4
POSS. OF MARIJUANA <1 OZ.	9
POSSESSION PARAPHERNALIA	24
Grand Total	74

2018  
Jan -May  
31st

Row Labels	Count of Case Number
CRIMINAL TRESPASS	42
DRINKING IN PUBLIC	6
INHALING HARMFUL VAPORS (Spice)	16
POSS. OF MARIJUANA <1 OZ.	11
POSSESSION PARAPHERNALIA	68
Grand Total	143

# Response: End Goals

- Eliminate illegal camps and secure housing for homeless individuals
- Reduce feelings of insecurity and threats to the community and stakeholders
- Facilitate trash removal through court ordered community service and communication with private property owners

# Response: End Goals

- Increase number of individuals receiving services
- Erect no trespassing signs on vacant land tracts to
- Reduce calls for service in reference to overdoses on “Spice”
- Determine source of “Spice” and eliminate it and file criminal charges

# Response: End Goals

- Coordinate relocation of school bus stop with Public School System and Traffic Engineering
- Replace burned and vandalized picnic table at Brannigan Park
- Obtain Funding for Security Fence around El Crucero Housing

# Response: End Goals

- Maintain dialogue with community stakeholders to determine the effectiveness of our response
- Empower the community and stakeholders to maintain stability and order with a reduced police presence

# Response: Zero Tolerance

- Bike Patrol Primarily
- Face-to-face contact with stakeholders
- Communications with land-owners
- Cooperation with Codes Enforcement

# Bike Patrol

- Small area of operation
- Many areas accessible only by bicycle
- Noise Discipline
- Visual Deterrent
- Able to make multiple sweeps of area per day

# Contact with Stakeholders

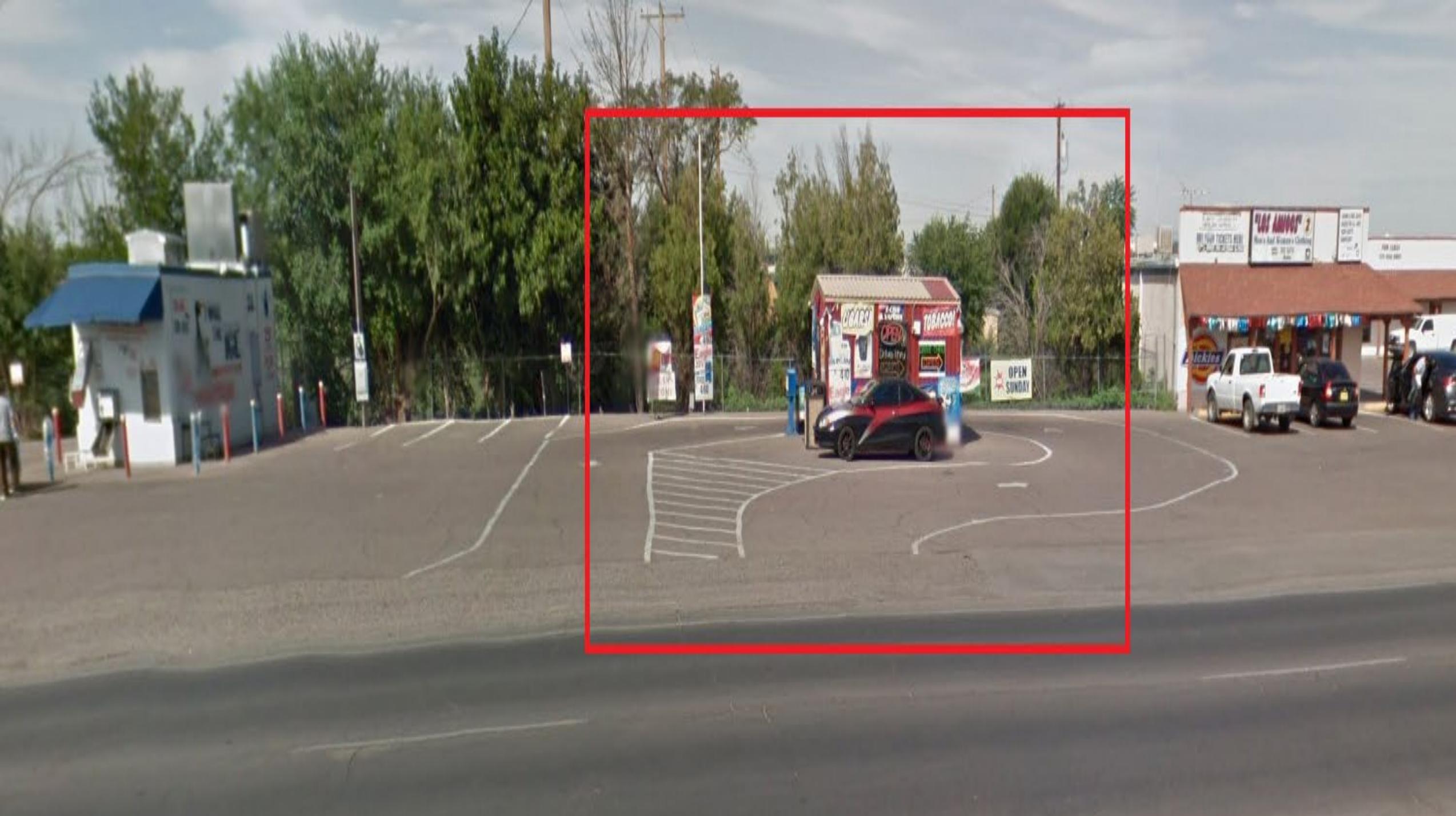
- Worked closely with directors and staff of Homeless Shelters
- Direct contact with small business owners
- Telephonic contact with out-of-area owners

# Communication with Landowners

- Difficulty discerning property boundaries
- Applying pressure to clean up trash/litter
- Willingness to post “No Trespassing” signs

# One Stop Tobacco Shop

- Multiple individuals contacted during project who possessed “spice” stated they purchased it from the One Stop Tobacco Shop
- Further investigation yielded more corroboration
- Concentration of “spice” cases in immediate vicinity of Tobacco Shop



SNACKS • COLD DRINKS • TOBACCO

**OPEN**

Pyramid  
OUR BEST BARGAIN  
\$ 5.29  
Plus Tax

WHY PAY MORE?  
Eagle 20's  
\$ 4.64  
Plus Tax

AMERICAN SPIRIT  
Open 7 DAYS A WEEK!  
7:45AM-9PM  
ADT  
YOU'LL NEVER MISS A DEAL!  
FOOD BUY NOW

THANK YOU for choosing our INDEPENDENT LOCAL BUSINESS  
By doing business locally, you not only get personal service and fair value, you also help strengthen our local community and economy.  
THANKS  
1 STOP TOBACCO SHOP

1 STOP TOBACCO SHOP

CAMEL  
CAMEL  
CAMEL



WARNING  
24 HR VIDEO SURVEILLANCE  
NO TRESPASSING

CIGARS

WALK-IN  
←

WHY PAY MORE?  
\$ 4.64

WALK-IN  
WALK-IN  
WALK-IN



SOUTHWEST TRADE CENTER

BISCOCHOS  
THRIFT STORE  
Duffey's Beauty Salon  
BARBER SHOP & BEAUTY SHOP



# Las Cruces City Ordinance

- Sec. 19-342. - Abuse or possession for abuse of glue, aerosol spray.
- (b) 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.

# Las Cruces City Ordinance

- **Sec. 19-342. - Abuse or possession for abuse of glue, aerosol spray.**
- (c) No person shall intentionally possess a glue, aerosol spray product or other chemical substance for any purpose set forth in subsection (b) of this section.
- Any person who violates this section is guilty of a petty misdemeanor.

# New Mexico Law on Spice: Possession

- one ounce or less of marijuana or synthetic cannabinoids is, for the first offense, guilty of a petty misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100) and by imprisonment for not more than fifteen days, and, for the second and subsequent offenses, guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) or by imprisonment for a definite term less than one year, or both;

# New Mexico Law on Spice: Distribution

- **30-31-22. Controlled or counterfeit substances; distribution prohibited.**
- A. Except as authorized by the Controlled Substances Act, it is unlawful for a person to intentionally distribute or possess with intent to distribute a controlled substance or a controlled substance analog except a substance enumerated in Schedule I or II that is a narcotic drug, a controlled substance analog of a controlled substance enumerated in Schedule I or II that is a narcotic drug or methamphetamine, its salts, isomers and salts of isomers. A person who violates this subsection with respect to:
  - (1) marijuana or synthetic cannabinoids is:
    - (a) for the first offense, guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978;
    -

# Defining Synthetic Cannabinoid: Controlled Substances Act

- The following controlled substances are included in Schedule I:
- (19) synthetic cannabinoids, including:
  - (a) 1-[2-(4-(morpholinyl)ethyl) -3-(1-naphthoyl)indole];
  - (b) 1-butyl-3-(1-naphthoyl)indole;
  - (c) 1-hexyl-3-(1-naphthoyl)indole;
  - (d) 1-pentyl-3-(1-naphthoyl)indole;



# Defining Synthetic Cannabinoid: Controlled Substances Act

- (e) 1-pentyl-3-(2-methoxyphenylacetyl) indole;
- (f) cannabicyclohexanol (CP 47, 497 and homologues: 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497); and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol;
- (g) 6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol);

# Defining Synthetic Cannabinoid: Controlled Substances Act

- (h) dexanabinol, (6aS,10aS) -9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl) -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;
- (i) 1-pentyl-3-(4-chloro naphthoyl) indole;
- (j) (2-methyl-1-propyl-1H-indol-3-yl) -1-naphthalenyl-methanone;  
and
- (k) 5-(1,1-dimethylheptyl)-2-(3-hydroxy cyclohexyl)-phenol;



$$v=1$$



$$\lim_{x \rightarrow 0} \left( \frac{1+x}{x} \right) = \infty$$

$$) = 1 - 1$$

$$\cos \alpha =$$



# Defining “Synthetic Cannabinoid”

- State of New Mexico V. Salazar:
- “The CSA expressly designates "synthetic cannabinoids" as Schedule I controlled substances, "including" eleven specific synthetic cannabinoids that are then listed. Section 30-31-6(C)(19)(a)-(k).”



# Defining “Synthetic Cannabinoid”

- State of New Mexico V. Salazar:
- “Because the language of Section 30-31-6 is clear and unambiguous, we hold that “synthetic cannabinoids” is not limited to those that are listed in subsections (a) through (k) of Section 30-31-6(C)(19).”

# Defining “Synthetic Cannabinoid”

- State of New Mexico V. Salazar:
- “The word “including” following the term “synthetic cannabinoids” expresses a clear legislative intent that the listing of specific examples of “synthetic cannabinoids” that follows is not exclusive.”



Photo: <http://www.japantimes.co.jp>

# Defining “Synthetic Cannabinoid”

- State of New Mexico V. Arias:
  - One of the enumerated chemical compounds in the Controlled Substances Act; OR
  - Falls into one of the classes of chemicals listed in the regulation; OR
  - Has a high potential for abuse, has no accepted medical use in treatment and demonstrates binding activity to the cannabinoid receptor or analogs or homologs with binding activity.

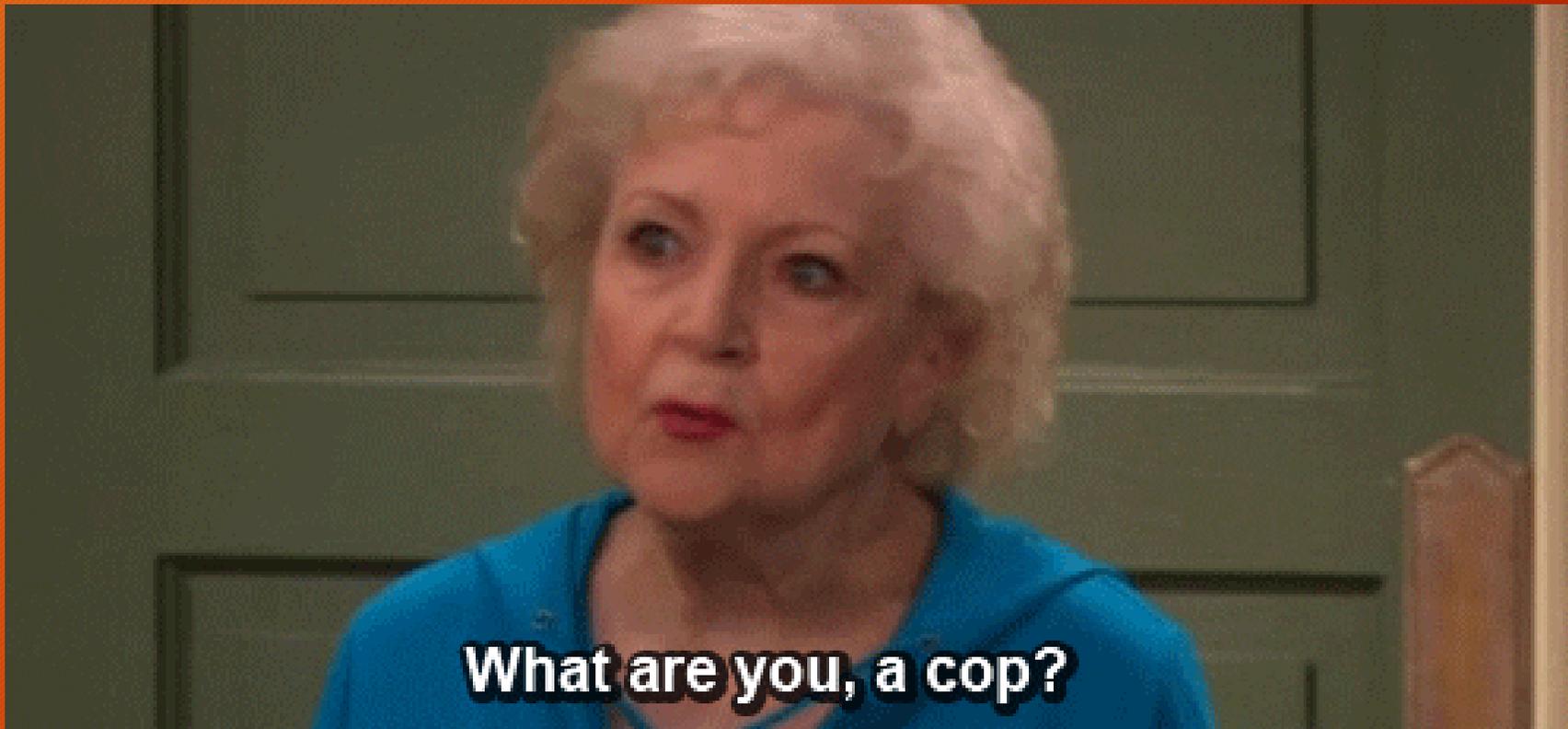
# Defining “Synthetic Cannabinoid”

- State of New Mexico V. Arias:
- “In light of our interpretation of what the Legislature intended the term “synthetic cannabinoids” to mean and include, the conclusion we reach is that the State must introduce scientific evidence to prove the identity of a substance suspected of being a synthetic cannabinoid”
- “I know it when I see it” is not enough for conviction.



# Secret Customer List

- Only specific, trusted customers permitted to purchase Spice from tobacco shop.

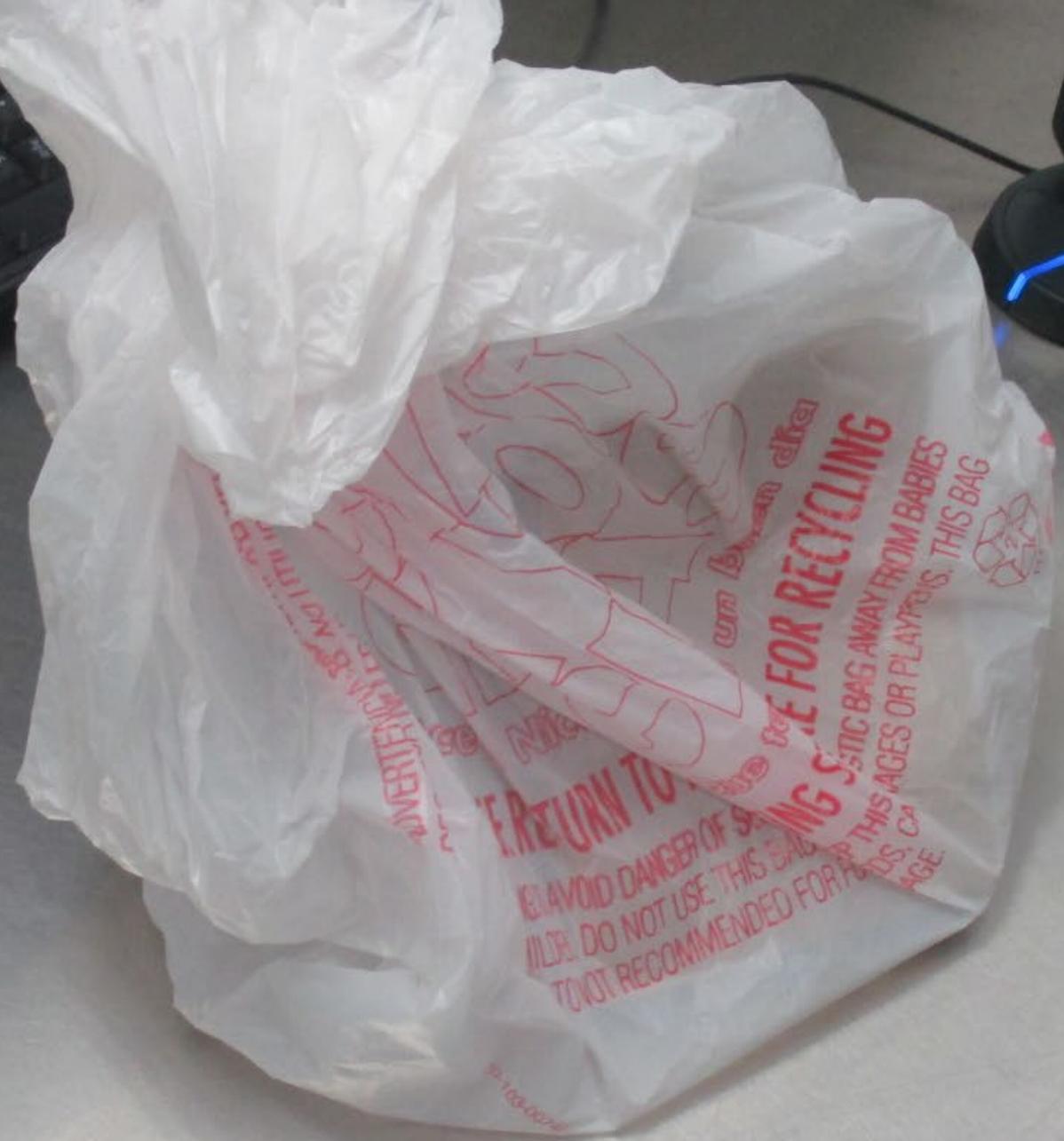


# Seeking a Search Warrant: Customer Contact

- Bike Patrol Contact with a smoke shop customer leads to seizure of 24 grams of suspected Spice and confirmation it came from smoke shop.

2018-05-29 12:25:13Z  
AXON FLEX 2 X83044642





RETURN TO  
 FOR RECYCLING  
 PLASTIC BAG AWAY FROM BABIES  
 THIS BAG IS NOT RECOMMENDED FOR FOODS, CA  
 AGE







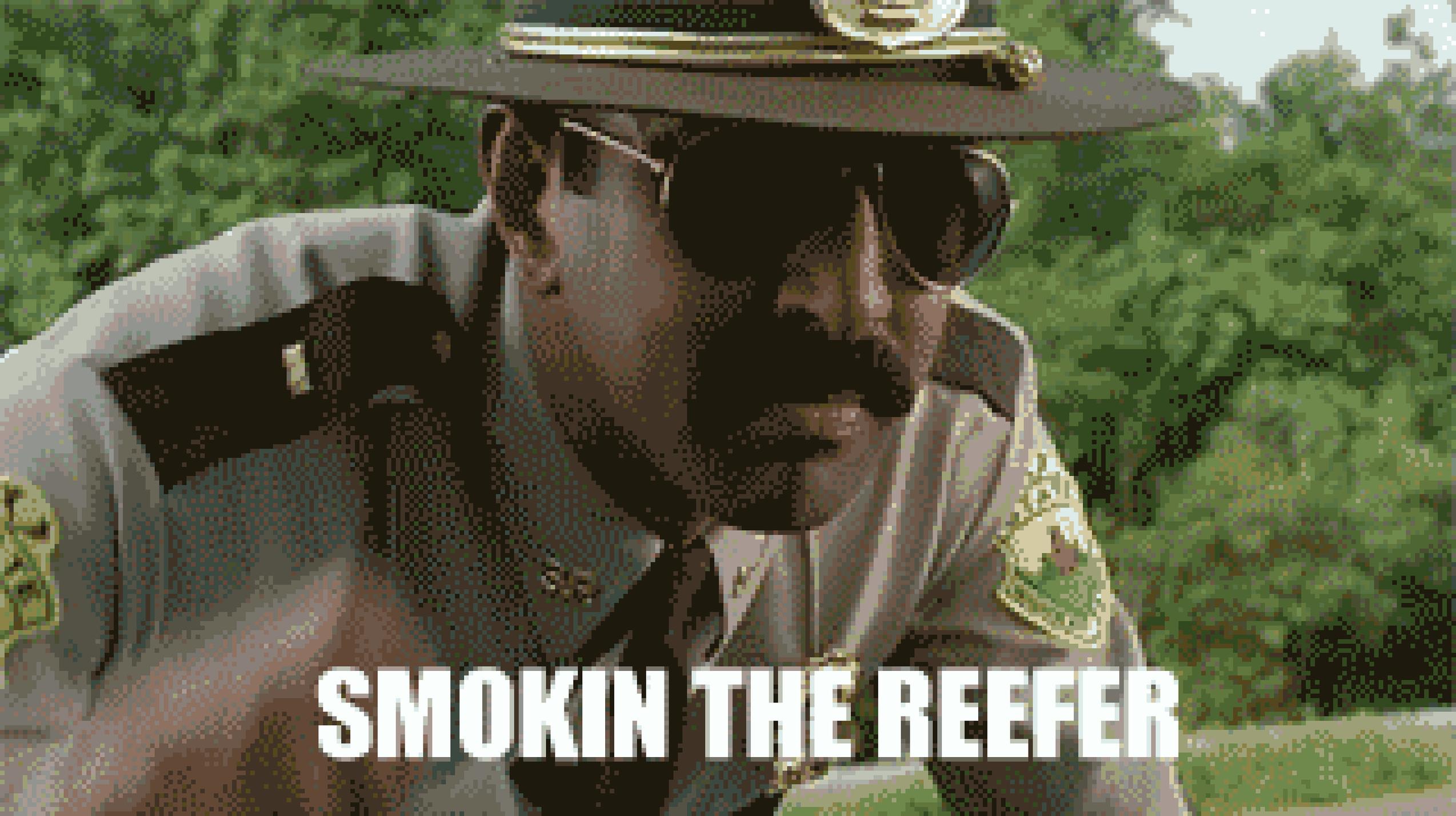
SEC-375-XXL



EK5055 Max. 5kg/11lb d=1g/0.05oz

24.0g

UNIT Z/T ON/OFF



**SMOKIN THE REEFER**

# Search Warrant: State Crime Lab Results

- Scientist at State Lab willing to expedite results; confirmation of Synthetic Cannabinoid within two days.

# Search Warrant: Execution

- Executed on May 31, 2018
- 1 Employee Present
- 2.7 pounds of spice seized, in addition to surveillance cameras, receipts, and other pre-packaged synthetic cannabinoids

ES  
ERE

**\$289** NEW LOOK  
SAME GREAT TASTE!  
**LONGHORN**

NEW MEXICO HELPLINE  
**1-800 QUIT NOW**  
1-800-784-8669 [quitnownm.com](http://quitnownm.com)  
ASK US ABOUT SAFE ALTERNATIVES

THIS WEEK'S LOTTERY WINNER!!



congrats!

**STOP TOBACCO SHOP**

THIS WEEK'S LOTTERY WINNER!!



congrats!

**STOP TOBACCO SHOP**



SACRIFICE A FEW YEARS  
OF PARTYING FOR  
DECADES OF BREATHING

**Marl**

6.91

Under 18  
No Tobacco  
**We Card**

Please Have ID Ready

**18+**  
ADULTS  
ONLY  
FOR  
TOBACCO  
USE ONLY

THANK YOU  
for choosing our  
INDEPENDENT  
LOCAL BUSINESS

THANKS  
**STOP TOBACCO SHOP**

BUYING  
TOBACCO  
FOR MINORS  
COULD COST  
YOU.

IT'S NOT JUST WRONG,  
IT'S ILLEGAL

BL CK BL CK

DIARUM

DIARUM

BLACK

BACKWOODS

BACKWOODS

SWISHER  
SWEETS

PHILLY  
CHEESE

SW  
SWEETS

**18+**  
ADULTS  
ONLY  
FOR  
TOBACCO  
USE ONLY

**18+**  
ADULTS  
ONLY  
FOR  
TOBACCO  
USE ONLY

**18+**

**18+**  
ADULTS  
ONLY  
FOR  
TOBACCO  
USE ONLY

AYS  
WEEK!  
OUR DAYS  
8:00 PM

REWARDS  
FREE PIZZA  
\$8.99  
6/6  
6/6

SCREENS

KEEP  
CLOSED  
ALL  
TIMES!

Richard  
Richard  
Richard

ARLIM  
BLACK  
BLACK

BEST CIGAR  
PRICES  
1980



10

ent

ities  
lid on Select



NEW LOWER PRICES

4





Case and Title of Discovery: **ND 107**  
Recovered By: **9-21-18 13:35**  
Description and/or Location: **small lumpy substance**

CHAIN OF CUSTODY		
FROM	TO	DATE

**DO USE:**  
1) Remove Release Liner from Flap.  
2) Fold Where Indicated. BAG IS NOW SEALED.  
3) Tear Where Indicated and Retain Evidence Receipt.  
**CAUTION: ATTEMPTS TO REOPEN WILL DISTORT SEALED AREA.**

Condition of Bag when Opened:  Sealed  
 Other \_\_\_\_\_  
Opened By: \_\_\_\_\_ Date \_\_\_\_\_



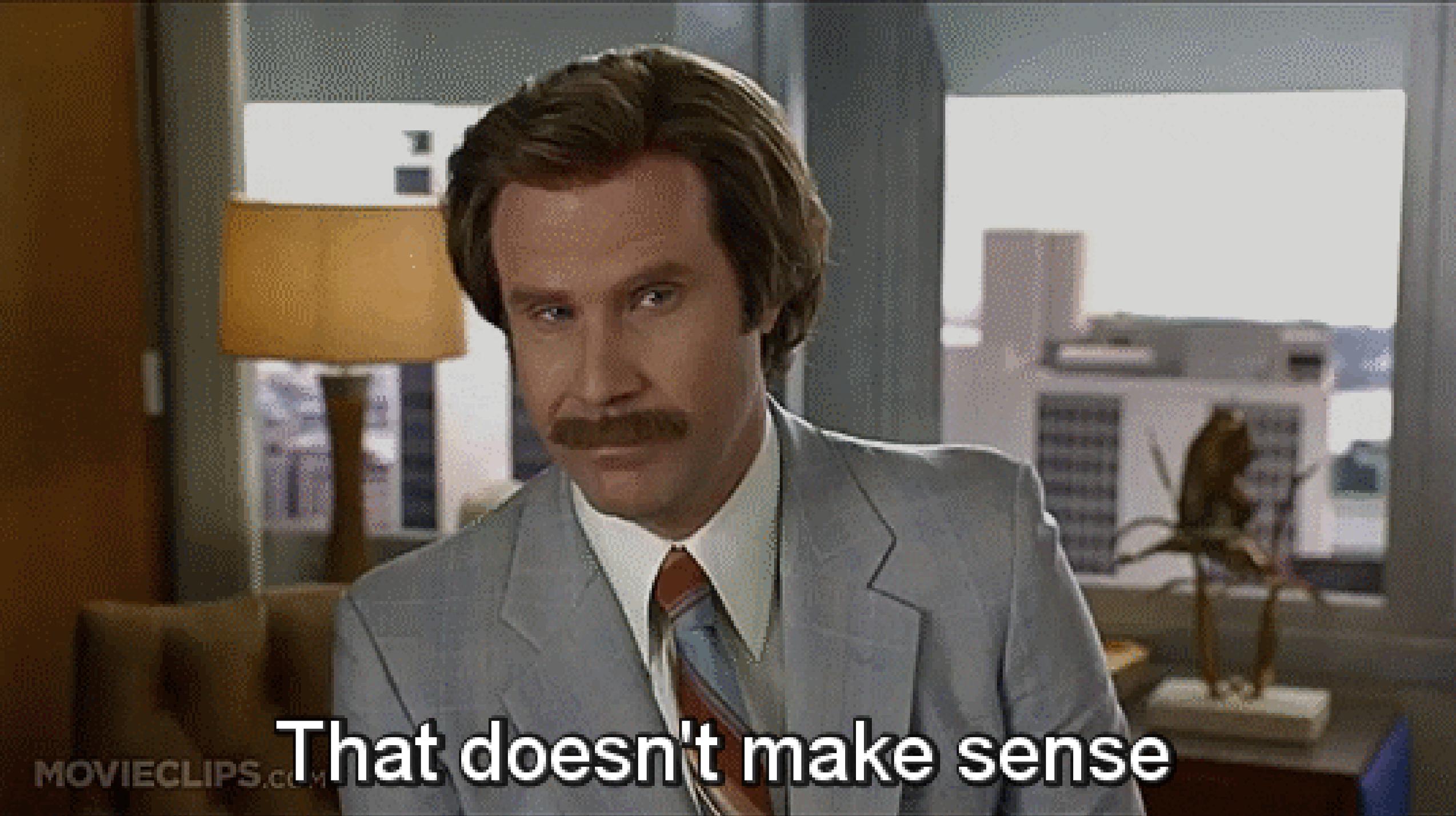
# Interviewing the Owner

- Owner waited over two weeks to make contact with officers, but consented to an interview
- Denied knowledge of illegality of substance and refused to call it “spice.”
- “All natural smoking blend”



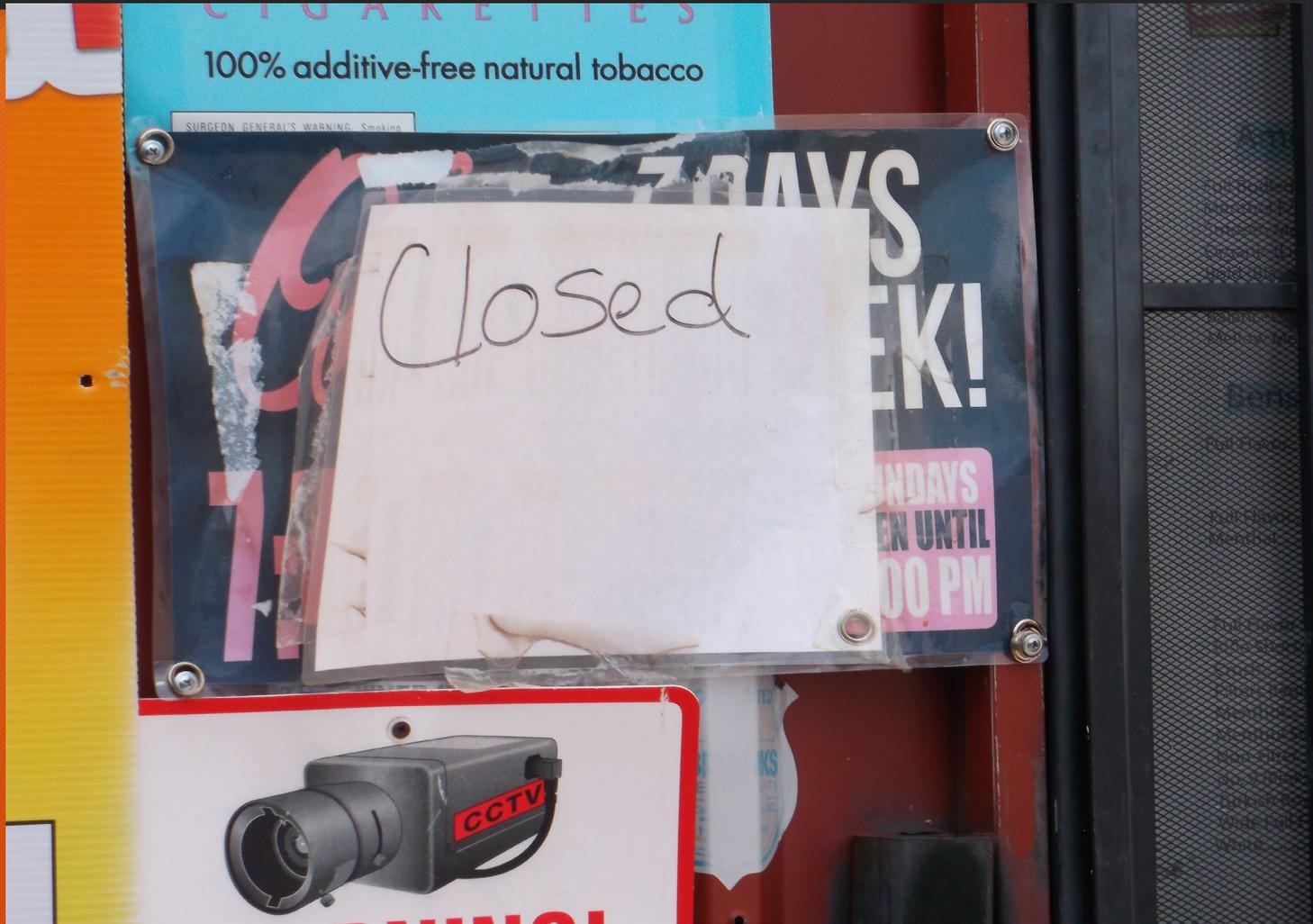




A medium shot of Gene Wilder, a man with a prominent mustache and slicked-back brown hair, wearing a light blue suit jacket, a white shirt, and a red and blue striped tie. He is looking slightly to his right with a neutral expression. The background shows an office interior with a window looking out onto a cityscape, a lamp with a tan shade, and a potted plant.

**That doesn't make sense**

# Search Warrant: Aftermath



SNACKS • COLD DRINKS • TOBACCO



WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE

WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE

WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE



TOBACCO • CO



WARNING!



THIS MATTER came before the Court for sentencing on March 5, 2019. The State of New Mexico was represented by Tomas A. Medina, Senior Trial Prosecutor. The Defendant was present and represented by counsel, Matthew J. Madrid.

The Defendant was convicted on March 5, 2019, pursuant to a guilty plea accepted and recorded by the Court, of the offense of Distribution of Marijuana or Synthetic Cannabinoids, a fourth degree felony, contrary to §30-31-22(A)(1), NMSA 1978, occurring on or about May 31, 2018, as charged in the Grand Jury Indictment.

The Defendant is hereby found and adjudged guilty and convicted of this crime.



Before Search Warrant



After Search Warrant



Before Search Warrant



After Search Warrant



Before Search Warrant

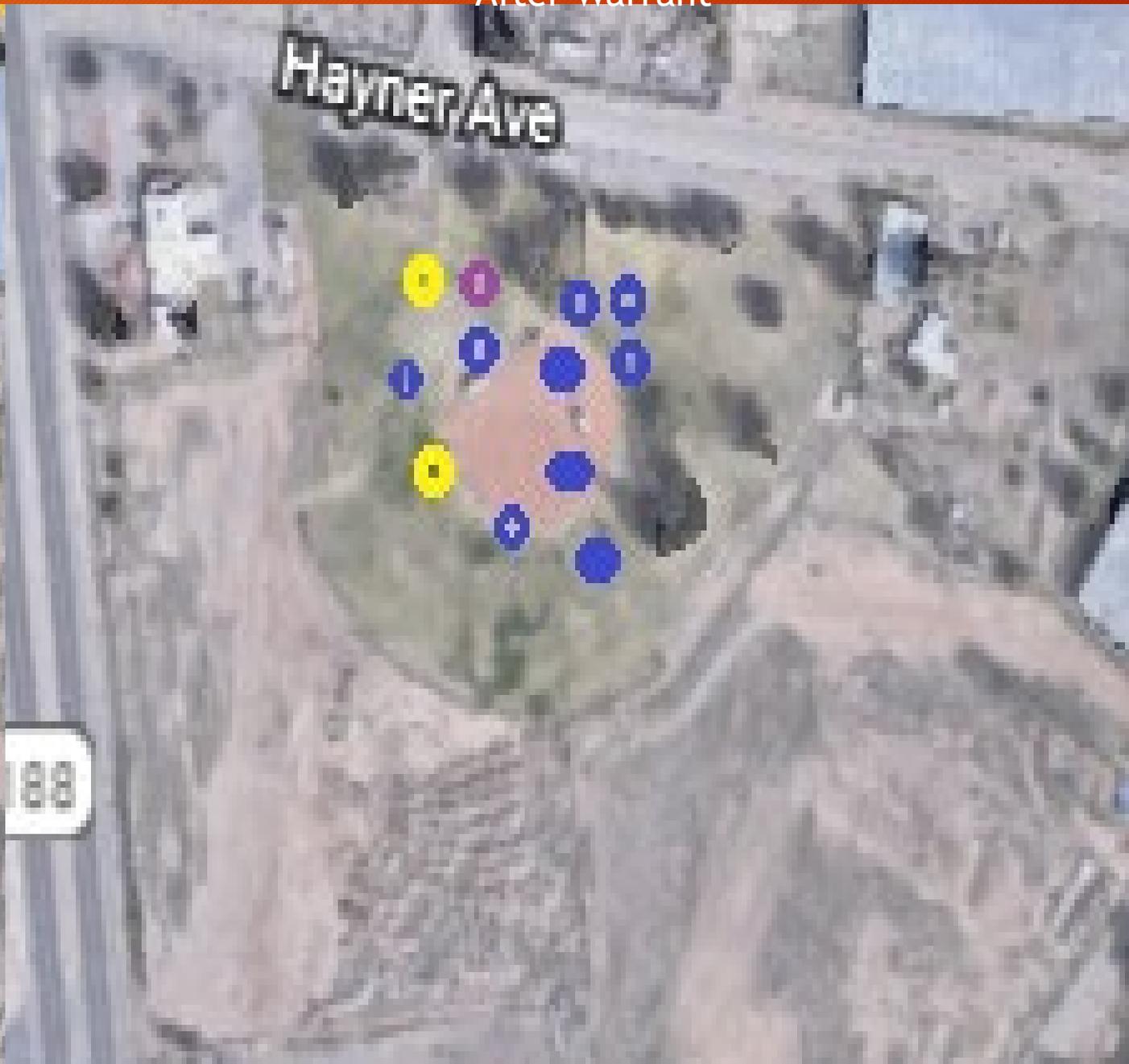
After Search Warrant



Before Warrant



After Warrant



# By The Numbers

2017

Row Labels	Count of Case Number
CRIMINAL TRESPASS	36
DRINKING IN PUBLIC	1
INHALING HARMFUL VAPORS	4
POSS. OF MARIJUANA <1 OZ.	9
POSSESSION PARAPHERNALIA	24
Grand Total	74

2018  
Jan -May  
31st

Row Labels	Count of Case Number
CRIMINAL TRESPASS	42
DRINKING IN PUBLIC	6
INHALING HARMFUL VAPORS	16
POSS. OF MARIJUANA <1 OZ.	11
POSSESSION PARAPHERNALIA	68
Grand Total	143

2018  
June 1<sup>st</sup>-  
Dec 31<sup>ST</sup>

Row Labels	Count of Case Number
CRIMINAL TRESPASS	28
DRINKING IN PUBLIC	6
INHALING HARMFUL VAPORS	4
POSS. OF MARIJUANA <1 OZ.	20
POSSESSION PARAPHERNALIA	49
Grand Total	107

2019

Row Labels	Count of Case Number
CRIMINAL TRESPASS	30
DRINKING IN PUBLIC	1
INHALING HARMFUL VAPORS	0
POSS. OF MARIJUANA <1 OZ.	11
POSSESSION PARAPHERNALIA	21
Grand Total	63

# Analysis - School Bus Stop El Crucero

- A school bus stop within the operation area was located where children were exposed to drug users.
- Several spice cases were charged within feet of the bus stop where adult supervision was not always available.
- With cooperation of Las Cruces Public School and the City of Las Cruces Traffic Engineering the stop was relocated to a safer location.

# Response

- POP project initiated January 2018.
- Bike, foot and marked unit patrols stepped up.
- Bike patrols were highly effective in patrolling the operation area quickly and reaching areas where marked units couldn't get to.
- Codes Enforcement identified property owners where vagrant camps were located - owners authorized trespassing charges.
- Codes Enforcement contact private property owners to have abandoned property and trash removed.





# Response - Security Fence El Crucero

- Foot traffic was a significant problem for El Crucero - the property was used as a short cut and in some cases vehicles would also drive across the property.
- A grant of \$5000 was awarded by the Las Cruces Builders Association for the construction of 400 feet of security fence.
- The fence (yet to be built) will eliminate foot traffic across El Crucero property and provide a much safer environment for families and children.



4th Annual Anniversary House

Presenting Sponsor

Las Cruces Sun News.

DESERT VIEW HOMES

2018

Date 11/1/18

Pay to the Order of

**Families & Youth, Inc**  
El Crucero Permanent Supportive Housing

**\$5,000.00**

*Five thousand dollars and no/100*

0927 1959 0404 2018

*Kent Thurston*

KENT THURSTON 2019 PRESIDENT

# Response

- Court ordered community service:
  - Those charged with petty misdemeanors were sentenced to community service. Codes enforcement officers coordinate this program and were able to direct community service hours toward cleaning up areas affected by vagrant camps.
- In other cases property owners were mandated to clean up their properties or face penalties.

# Response - Branigan Park

- With the cooperation of the City Attorney individuals known to be regular spice users were issued trespass warnings and made to leave the park.
- This effort displaced those individuals who were regular spice users and who were responsible for the majority of problems associated with it.
- This effort was effective in restoring the park as a safe place to visit for citizens.









A wide-angle photograph of a park-like setting. The foreground is dominated by a large, well-maintained green lawn. Several large, leafy trees are scattered across the scene, casting long, dappled shadows on the grass. In the lower-left foreground, a large, flat, light-colored rock sits on a small patch of dirt. To the right, a picnic table is partially visible, situated under the shade of a tree. In the background, a wooden fence runs along the left side, and a small, light-colored building or structure is visible on the right. The sky is bright and clear, suggesting a sunny day.

New Picnic Table





# Assessment

- The closing of the One Stop Smoke shop was determined to be the most significant contributing factor to problems in the operation area.

# Assessment

- Security fencing will be effective in controlling foot traffic around El Crucero, eliminating trespassing and providing a safer environment for families and children.

# Assessment

- Bus stop relocation provided a safer place for children and where they were ensured the presence of adult supervision.

# Assessment

- Private property owners have removed nearly all trash that has accumulated for years.
- No trespassing signs have been posted where vagrant camps have been commonplace.

# Assessment

- Court ordered community service has contributed to the clean up effort in the area.
- Administrators from El Crucero and Community of have expressed that the condition in the area is significantly safer and that during the operational period 20 homeless people were provided with permanent housing.

# Assessment

- Spice use has dropped off substantially throughout the city.

# What's Next?

- Maintenance of Police Presence
- Adjusting to changing laws regarding Marijuana and Spice
- Continuing partnership with stakeholders

# The End

