



Anecdotal evidence drives synthetic drug debate



Edyta Blaszczyk | Odessa American

These synthetic drugs that were obtained by undercover police officers were presented to the Odessa City Council during the regular meeting as they discuss ideas for an ordinance to help get the designer drugs off the streets.

Rhetoric framing the Odessa City Council's [effort to pass a local ordinance](#) that will enhance the state ban against synthetic drugs casts them as a community scourge:

"I hope you take into deep consideration the effects they have on these kids," a mother pleaded to the council on Tuesday. "It is killing them."

"It breaks my heart," Mayor David Turner said after the same meeting. "I've got teenagers. We're going to do everything we can."

No one, including members of the medical community, questions that synthetic drugs are harmful. They are designed to mimic the highs of traditional drugs and sold by local businesses as potpourri or incense. Depending on the drug, side-effects users experience range from vomiting and jitteriness to hallucinations and violence, says emergency room physician Dr. Sudip Bose, who works at Medical Center Hospital.

But so far the push for a synthetic drug ordinance lacks hard evidence subject to public scrutiny that establishes the scope of the problem in Odessa. Instead, the impetus for an ordinance comes mostly from anecdotal accounts from community stakeholders.

The mayor said he is examining other city's ordinances and planning to ask legislators to act, as the city attorney prepares a draft ordinance.

The enhanced ban is widely supported, but with caveats. One comes from criminal justice officials, who warn that enforcement of the ordinance would be difficult, raising questions about its practicality.

'AS FAR AS NUMBERS'

Early in his tenure as mayor, Turner said he began to review the minutes of his predecessor's drug and crime commission, and he saw multiple references to synthetic drugs.

Around that time, Turner said citizens shared stories of the harm the drugs did to them or their families, including one woman's testimony at a December council meeting that appeared in the Odessa American. Anna Scroggins of the New Day Counseling, a drug rehab and outreach group, who did not respond to an interview request by press time, began a petition to ban synthetic drugs; it would earn more than 1,000 signatures. And a series of TV news broadcasts portrayed a harmful open drug market (but without offering data).

Turner and the council decided it was an issue the city should take up.

"No matter who you talk to, you see this as a huge problem. After you hear some of these stories, we have to look at it to try to do something to stop it," Turner said. "You can look at what it's doing to people, and see that this is something that is damaging our community by what it's doing to some of our younger people."

But has any hard evidence supported the assertion that synthetic drugs are a "huge problem"?

"As far as numbers, no. I just know it's a problem and it seems to be slanted more toward youth," Turner said. "And I think we need to address it."

The mayor said his support for the ban would continue even if it were established that few people were using synthetic drugs (counter to many accounts, including those of drug outreach groups).

"I don't see why it would change it if it were one," Turner said. "We are elected by the citizens, and we have to look out for the citizens."

'ARRESTS ALONE MEAN NOTHING'

After the Tuesday meeting, Police Chief Tim Burton asked the supervisory officer of his narcotics unit, Sgt. Matt Davidson, to write a report about the number of synthetic drug cases handled by the department. As it stands, the police department does not keep separate statistics about synthetic drugs, grouping them with other misdemeanor drug offenses.

The department has voiced general support for cracking down on the drugs but worried that discussion so far points to an ordinance that would enable more arrests but not convictions.

"Arrests alone mean nothing. You arrest someone and you can't prosecute them — it's just like telling a kid, 'I'm gonna spank you,' and then you don't," said Cpl. Sherrie Carruth, police spokeswoman. "If you can't carry through with it, then it doesn't do anything."

Drug manufacturers change the chemicals used in the drugs as their concoctions become illegal. The ordinance would specifically outlaw the 100 or so chemicals used in synthetic drugs and common brands sold over the counter, thus enabling more arrests. But convictions for those arrests would remain difficult, according to Burton and County Attorney Scott Layh. That difficulty lies in confirming the presence of illicit chemicals.

Here's why, as explained by Capt. Jesse Duarte, who served several years as a narcotics officer:

When a police officer thinks he's discovered cocaine in somebody's possession, the officer uses a kit to conduct a preliminary test. A positive result equals grounds for arrest. But in order to successfully prosecute that charge, the substance must be confirmed as cocaine in a laboratory, usually in one belonging to the Texas Department of Public Safety. With synthetic drugs, the confirmation phase becomes a problem: DPS labs don't test for those chemicals.

Davidson told the City Council in a briefing on Tuesday that the closest labs to test synthetics in Kansas and tests for just seven of the 100 chemicals deemed illegal at \$60 per test. And without the tests, convictions become a long shot, Burton and City Manager Richard Morton have told the council.

The sergeant told the council he does not know of a lab in the United States that tests for all the synthetic drug chemicals.

Davidson also told the council that around 300 to 500 cases exist at the Ector County Attorney's Office. He did not respond to a Friday request to clarify that comment or provide context.

But Layh, the county attorney, questioned that figure. He said he's seen only about 25 synthetic drug cases since he took office earlier this month.

Layh said he supports the ban because current statutes "are vague at best," and in the cases he has seen, users have described suffering as a result of the drugs.

"It's definitely an issue that we want to address and get out in front of," Layh said. "But it's not an overwhelming problem."

The ordinance as so far discussed, Layh agreed, offers little to strengthen prosecution of synthetic drug cases, and it offers little to target business that sell synthetic drugs, which is only illegal if intent to sell an intoxicating substance can be proven. Furthermore, Layh worried the ordinance might push synthetic drugs into the county.

But Layh said the ordinance is a step in the right direction because greater emphasis on pursuing synthetic drugs creates useful pressure to pursue them successfully.

"At some point, further legislation and more exact legislation needs to be passed on the statewide level," he said. "But you fight battles where you have to fight them and a city ordinance is a good place to start."

WAVES BEFORE A TSUNAMI?

Perhaps the most pronounced notice of synthetic drug use comes from the Ector County School District's Alternative Center, where Principal Charles Quintela said most students attend because of a drug offense. In the last six months, 10 students were hospitalized because of an incident stemming from synthetic drug use. Quintela and one of his counselors at the school said they expect usage is much higher and the reactions they see worry them.

"We are seeing little waves right now, but the tsunami's coming," Quintela said. "I don't want to scare people ... but I don't think people have seen the gamut we are facing nationally and here locally."

Quintela, who has not been a part of the drug and crime commission but supports the ordinance, said he is conducting a study to better understand the problem, so he can determine the best response and share the results with his colleagues in the district. Part of the study will examine usage rates.

Medical Center Hospital officials have also voiced support for the ordinance, but struggle to qualify the scope of the synthetic drug ordinance.

"It doesn't look like it's tracked in a specific way," said MCH spokesperson Amber Sweeney, explaining the chemicals in the drugs change so tests would show different results. Drug users don't always own up to hospital staff, either.

But Sweeney said it seemed the hospital has noticed an uptick in synthetic drug patients over the past few months. She said the experience of Dr. Bose was typical of emergency room physicians.

Dr. Bose, who supports the ban, said he sees a handful of those patients a month in the emergency room.

"It's not non-existent," he said. "There are cases we are seeing, and one case is one case too many. We are seeing patients injured and violence from it."

The synthetic marijuana patients, he said, tend to come to the hospital feeling generally lousy with symptoms similar to marijuana use, but the drug is more potent. The bath salt symptoms tend to be more extreme: He's seen people hallucinating and has sewed up a man's arm after he punched through a window.

Stories from counselors also reflect the harm of synthetic drugs. Turning Point, a rehabilitation center, has seen about three to five synthetic drug users per month over the past several months, said Charlotte

Davis, a counselor there. The state-funded organization does not take a stand on the ordinance, but described difficult withdrawals from synthetics, with symptoms including paranoia, confusion and anxiety.

But the organization also has trouble specifically tracking synthetic drugs, partly because they group them under categories like amphetamines (for bath salts) and cannabanoids (for synthetic pot).

“Predominantly our clients have other drugs of choice, and those are just secondary ones,” Davis said.

The Permian Basin Regional Council on Drug and Alcohol Abuse supports the ban, said Carrie Bronaugh, director of prevention resources, “because of the damage it’s causing to the people that are taking these drugs.”

But the drug abuse council sees few cases first hand, Bronaugh said: just 20 cases in the San Angelo, Midland and Odessa region in the last six months. Mostly, councilors hear about the problem through community stakeholders and its outreach work, like the presentations it gives at high schools.

“Whenever we do a presentation, synthetic drugs are always brought up by the students,” Bronaugh said.

“They want to know what it is, why there is so much publicity about it.”

Reference: http://www.oaoa.com/news/crime_justice/article_f60a475a-6811-11e2-92ea-001a4bcf6878.html