



2017 Herman Goldstein Award
Houston, Texas, Police Department
Response to Synthetic Cannabinoid Distribution

Response to Kush Distribution

Scanning- The greater Houston area has been identified as a hub for drug trafficking operations. In late 2015 the emergence of Synthetic Cannabinoids commonly referred to on the streets as “Kush” came to the fore front as a detriment to public health. Kush has been related to a number of overdoses, most notably the Hermann Park overdoses. As Kush related crimes grew so did the number of emergency calls for the Houston Fire Department, subsequently choking emergency room visits and as a result public outcry for the need to act. The Houston Fire Department reported that calls for Kush related overdoses to be the number one call for ambulance needs in the downtown area, overloading ambulance services and diminishing the response for services to other life threatening needs such as cardiac arrests.

Analysis- The influx of a cheap, easily manufactured, high gain to yield ratio drug in combination with a problematic avenue of detection and enforcement created an atmosphere for disaster with Kush. The core compounds for Kush are unable to be detected by narcotics K-9’s and there is no presumptive testing (i.e. field test) which is the immediate testing for the presence of illegal substances. One kilo (2.2 pounds) of the core substance in the form of Synthetic Cannabinoids can cost approximately between \$2-\$10 thousand dollars. After the manufacturing process, a mere one pound (approximately half the kilo), of the core substance can easily make one hundred eighty pounds of finished Kush product with a street value of over



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\$1.8 million dollars. A broad customer base was quickly created due to lack of enforcement efforts coupled with un-detectability in regular urinalysis testing lending credence to one of its nicknames as “probation weed”.

Response- The response to Kush involved multiple divisions and outside agencies to combat its insurgence. New policies and procedures were implemented to address the distribution of Kush. New task forces were constructed to address both civil and criminal penalties for persons and businesses manufacturing, distributing and selling Kush. New budgetary allotments for Kush enforcement were created. The Narcotics Division’s Forfeiture Abatement Support Team (F.A.S.T.) completed multiple awareness programs to address the issue at the most fundamental level, educating patrol officers and the public of this new emerging drug trend via interdepartmental classes and public forums to disseminate Kush awareness.

Assessment- Arrest and citations for Kush related offenses have been observed to be on the rise due to education of enforcement efforts made by the Narcotics F.A.S.T. Media coverage of Kush related offenses has been emphasized to spread the word of Kush enforcement efforts. Total seizures made from drug trafficking organizations distributing Kush have been approximately \$3.1 million dollars since the start of the program in June 2016. The aforementioned increased arrest and citations is the by-product of the new joint task force to combat Kush at both the civil and criminal level, levying both heavy criminal and civil penalties to businesses engaged in the distribution and sale of Kush.



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Synthetic Cannabinoids is a broad term describing a myriad of chemicals that affect some of the same areas in the brain as marijuana but the two are very much different from each other. As the name implies, Synthetic Cannabinoids, are chemicals that are manufactured in a laboratory and are synthetic in nature. The difference between cannabis found in marijuana and Synthetic Cannabinoids is the affinity and proclivity to which they both bind to the same receptors of the brain. Cannabis partially binds to the receptors of the brain, but Synthetic Cannabinoids fully bind to them, causing an exaggerated and more potent affect to the user in the form of seizures, agitation, tachycardia (abnormally fast heart rate), drowsiness, lethargy, vomiting and confusion.

Unlike traditional forms of street drugs such as cocaine, heroin and marijuana, Kush can contain a number of different types of Synthetic Cannabinoids, each producing its own specific reaction and effect to the user which can synergistically work together to make an overdose exceptionally more likely. A number of Kush packages containing Synthetic Cannabinoids sold at convenience stores also tested positive for containing synthetic cathinones, commonly referred to on the street as "Bath Salts." Due to many of these packages containing more than one chemical and sometimes an entirely different class of drugs, law enforcement in general has been behind the curve in developing presumptive testing for these drugs. The brightly colored and commercialized packaging of Synthetic Cannabinoids for sale as Kush, exacerbates



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preexisting notions by the public and law enforcement at large that these chemicals are safe to consume. All would soon come to light on how dangerous Kush is and the proverbial powder keg to which the city of Houston was sitting on amidst the large scale manufacturers of Kush.





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SCANNING

The Houston Police Department identified Kush back in 2013 as an emerging drug trend within the city. At the time Police agencies in Texas were ill-prepared and ill-informed on how these Synthetic Cannabinoids in the form of Kush affected individuals who abused them and were lost on how to enforce the possession and distribution of Kush. In Texas, a marked rise in exposure calls for Kush was observed in the year 2013 to be 464 and in the year 2014 revealed an increase to 782 calls which reflected a 69% increase in the volume of calls. According to the High Intensity Drug Trafficking Area (H.I.D.T.A) threat assessment on Synthetic Cannabinoids "Cumulative data for January of 2010 through May of 2015 indicates that the highest number of exposure calls were from Harris County which includes the metropolitan city of Houston within the Houston HIDTA. Other regions with a very high number of calls include Dallas County (which includes the city of Dallas) and Bexar County (includes the city of San Antonio)". Synthetic Cannabinoids in the form of Kush was misrepresented to the public as safe by the very same places that sold it. Packages of Kush were openly displayed for sale at convenience stores, smoke shops and gas stations lending credence to their false legitimacy. The misrepresented safeness of Kush was further bolstered by the nicknames or street names given to them by the general public such as "synthetic marijuana", "fake pot", and "probation weed", all which imply that Kush is akin to marijuana and therefore safe to use. The highly commercialized outward appearance of the packaging marketed towards our youth also



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quelled any notion that the green leafy, and often seemingly pleasant aromatic substance contained therein was harmful.



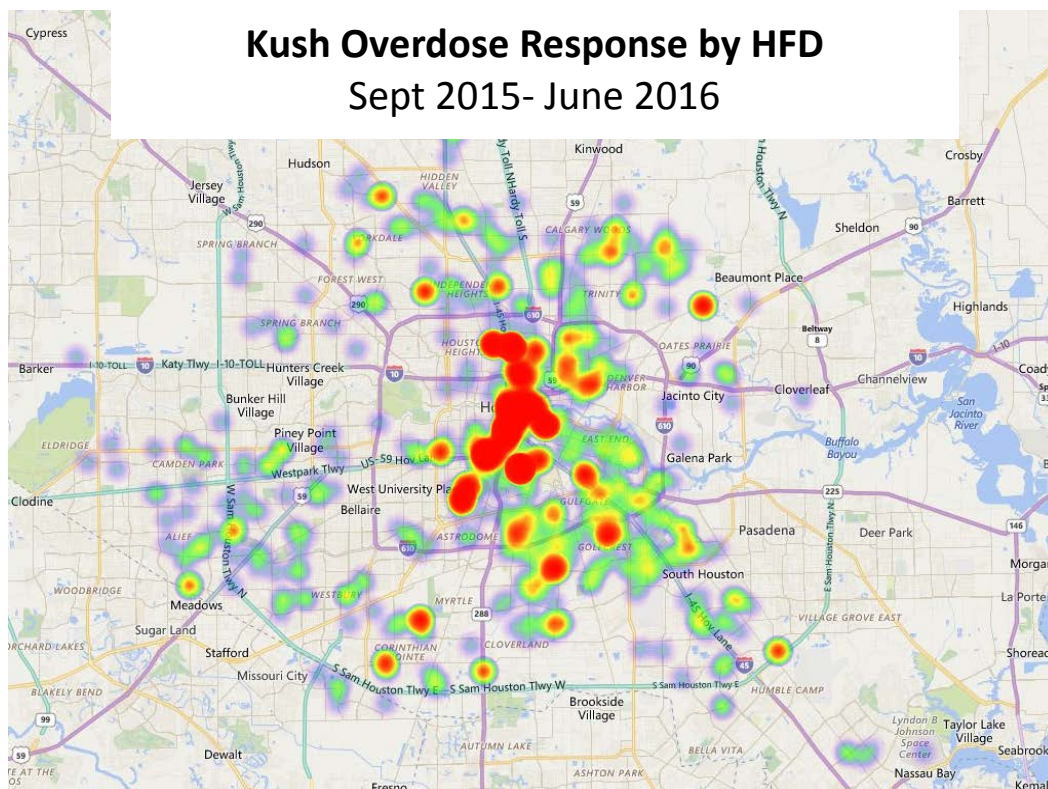
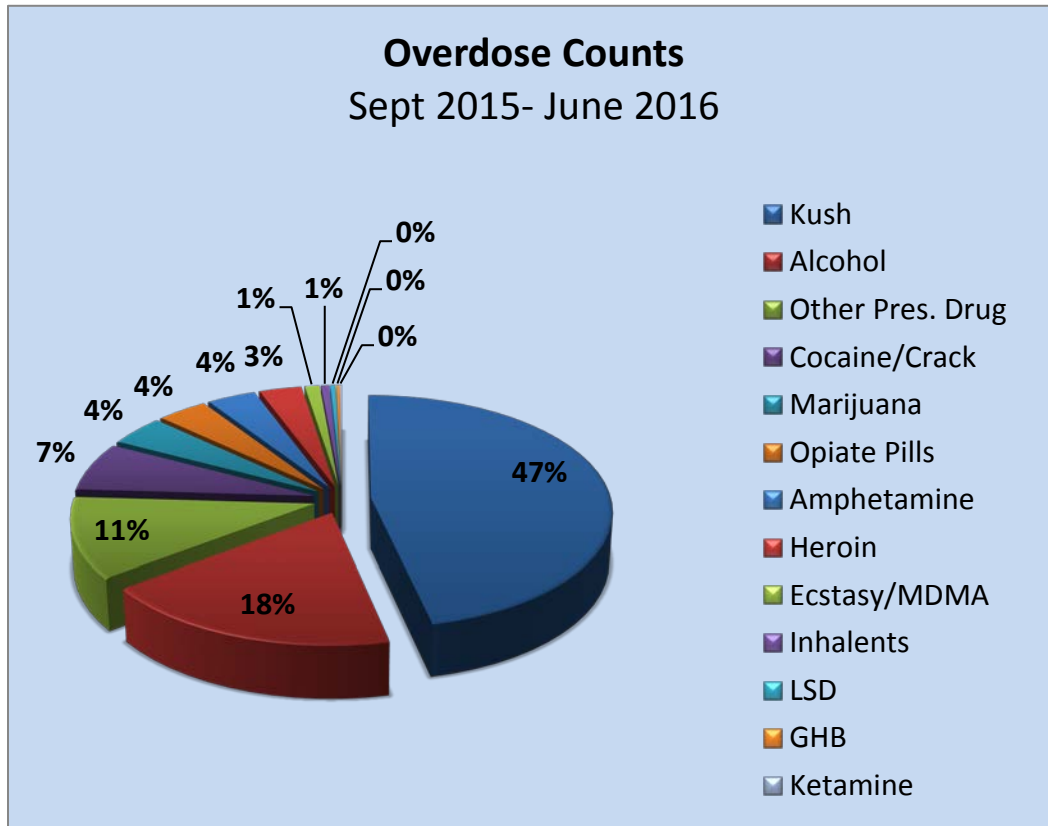


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The City of Houston soon learned that the prevalence of Kush in the greater Houston area was far more pervasive than anticipated and the multitude of chemicals it could possibly contain led to a high number of overdoses. The catalyst for drastic change to how Kush distribution was enforced was due in large part to a number of overdoses in and around the Houston area and a number of violent incidents that occurred while suspects were reportedly under the influence of Kush. A large number of Kush overdoses occurred within a few hours that affected 16 individuals took place at Hermann Park in June 2016. All of these individuals were transported to local hospitals due to medical complications associated with the use of Kush. The mass overdose took place at a location in the city that earned the moniker by citizens and police alike as “Kush Corner”. The Kush corner incident once again thrust Kush into the lime light of both public awareness and the Houston Police Department with many city officials demanding an immediate decisive plan of action take place to combat its incidence in the city.



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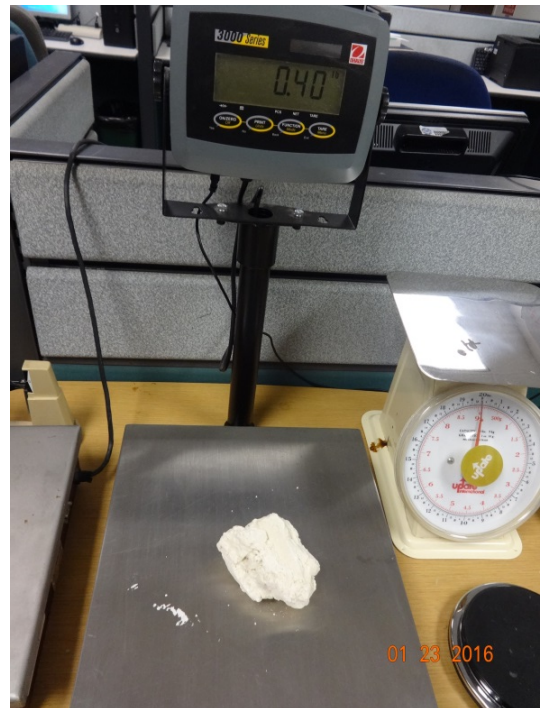
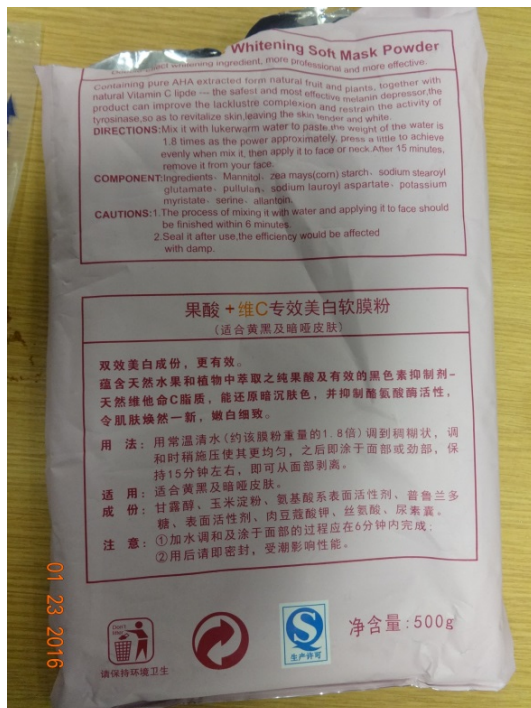




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Analysis

Narcotics Officers from the Forfeiture Abatement Support Team completed numerous debriefings of suspects found to be distributing Kush to reveal sources or stores from which Kush was being actively distributed. Statistical analysis of calls for service and interviews of officers on patrol indicated that the Metro rail lines were the preferred route of distribution for couriers. Previous mid-level narcotics investigations indicated that the source of Synthetic Cannabinoids originated in shipments from China in the raw white crystalline rock form. Warehouses and residences were then utilized to mix the active ingredient (Synthetic Cannabinoids), with a plant like medium, which in most cases was Damiana Leaf, acetone, and a flavoring agent, often snow cone syrup, resulting in a ready to smoke substance which is Kush.





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Enforcement efforts were inconsistent and varied from department to department in Harris County. Most enforcement efforts were hampered by extremely long delays in the testing of Kush submitted to various labs across the state and locally. Prolonged testing of Kush meant that suspects were free from prosecution until the labs provided results that the Kush contained Synthetic Cannabinoids. Due to the long wait Officers were less apt to enforce existing laws due to the convoluted process of submitting Kush for testing and waiting on a return from the lab. At the time of the Kush corner incident there was not a group assigned or tasked specifically for the proactive investigation of Kush.

Response

Across the nation in response to the eruption of Kush, law enforcement agencies have come together as a whole to address this issue. The Houston Police Department's F.A.S.T. has conferred and teamed up with numerous other local agencies and Federal agencies to strategize and compare enforcement efforts to see what has worked and what has not in the proactive enforcement of Kush. The Houston Police Department Narcotics Division created a plan of action to address Kush within the Houston Police department's full jurisdiction which encompassed three Counties, Harris, Montgomery and Ft. Bend County. A three pronged approach was created by F.A.S.T. that included enforcement efforts from all facets of the police department that included but was not limited to educational presentations to the general public, classes to other police officers and departments as well as combating Kush at the user,



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dealer, and manufacturing levels. The goals for the Houston Police Department Narcotics Division were to identify manufacturers of Kush, disrupt the flow of Kush coming into the City of Houston and dismantle drug trafficking organizations or (DTO's) that mainly dealt in Kush.

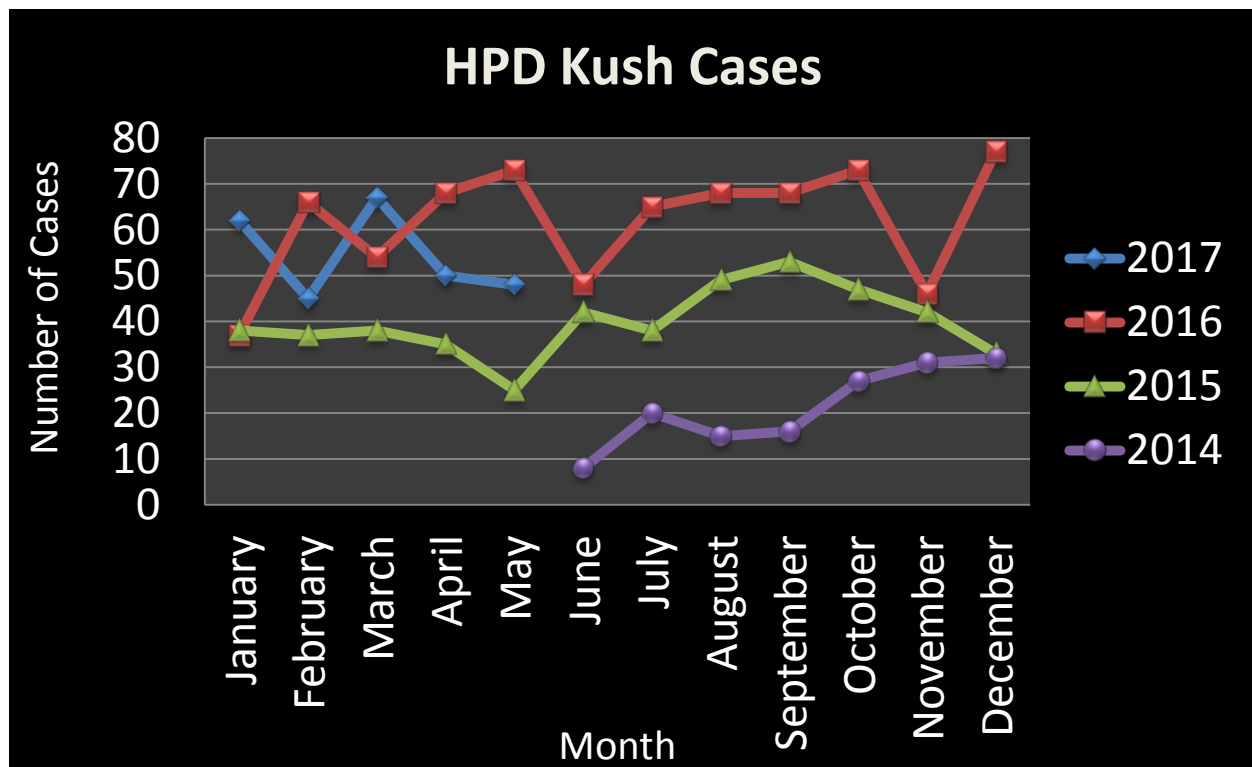
The Houston Police Narcotics Division utilized multiple resources to meet the aforementioned goals. Undercover officers and confidential informants were heavily utilized as well as the targeting of street level dealers by a newly formed Houston Police Department Narcotics unit deemed the "Kush Squad" which focused its efforts to solely seek Kush offenses at all levels. Budgetary allotments were made focusing on overtime specifically for the proactive investigation of Kush related incidents.

The Houston Police Narcotics Division worked heavily with The Houston Forensic Science Center controlled substances division, to come up with a new form of expedited testing protocols to allow Houston Police Narcotics Officers to receive lab results from tagged substances the very next business day or within a 24 hour period. Before this, testing for Kush could take weeks to months depending on the case and how much was submitted for testing. In some areas of the state, testing could take almost a year. The newly adopted protocols eliminated most officers' frustration and apprehension when dealing or investigating Kush related cases. The expedited testing is still to this date one of the quickest lab turn arounds in the state of Texas allowing the expedited judicial process to take place.



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The Houston Police Narcotics Division's F.A.S.T. in collaboration with the newly formed joint task force consisting of the Harris County Attorney's Office, City of Houston Legal Department, Texas Attorney General's Office as well as the Harris County District Attorney's Office. This task force proactively pursued criminal narcotics cases against large scale Kush distributors as well as held them civilly accountable by levying judgments against many of the businesses selling Kush under chapter 125 of the Civil Practice and Remedies Code, as well as the Deceptive Trade Practices Act.



Texas Code of Criminal Procedures Chapter 59 Asset Forfeiture was also heavily utilized to seize Kush proceeds in the amount of \$3.1 million dollars from January 2016 to May 31, 2017.



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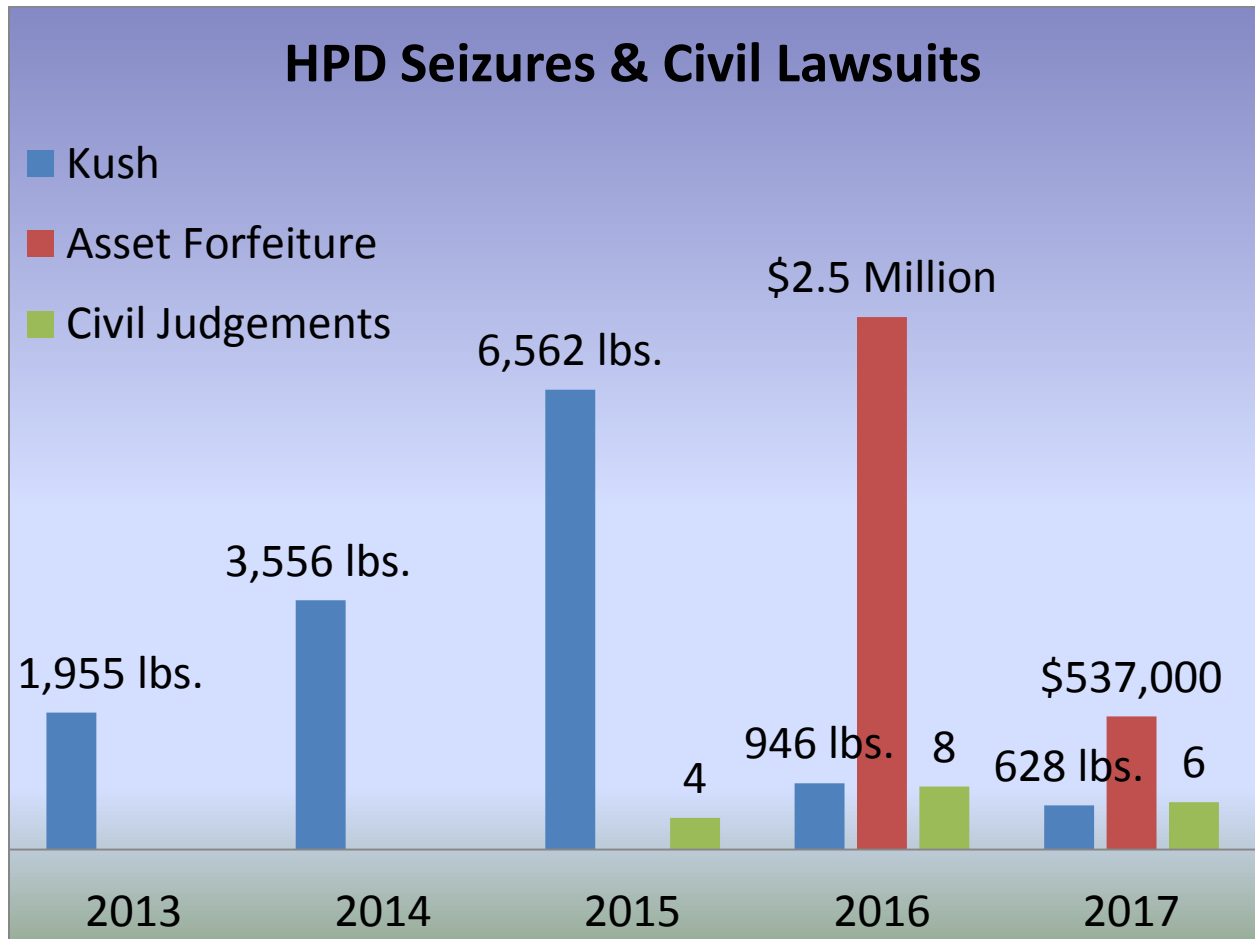
Asset forfeiture statutes were utilized to take away the monetary gain associated with Kush sales which can be exceptionally lucrative given that a kilo of the core substance can have an upfront investment of \$2-\$10 thousand dollars and after being manufactured into Kush can yield \$1.8 million dollars on the street.

Assessment

Since May of 2017 The Houston Police Department has excelled by leaps and bounds in the proactive enforcement of businesses and persons distributing Kush. After the implementation of this collaborative effort, the Houston Police Department Narcotics F.A.S.T. Team as well as other mid-level narcotics squads such as T.A.R.P., continues to monitor Kush distribution. It was observed that sick calls for overdoses regarding Kush reduced dramatically inside of downtown Houston. The distribution of Kush in and around the metro rail system was observed to be reduced significantly. Public awareness on the topic has been aided by news stories covering large scale Kush raids and arrest.



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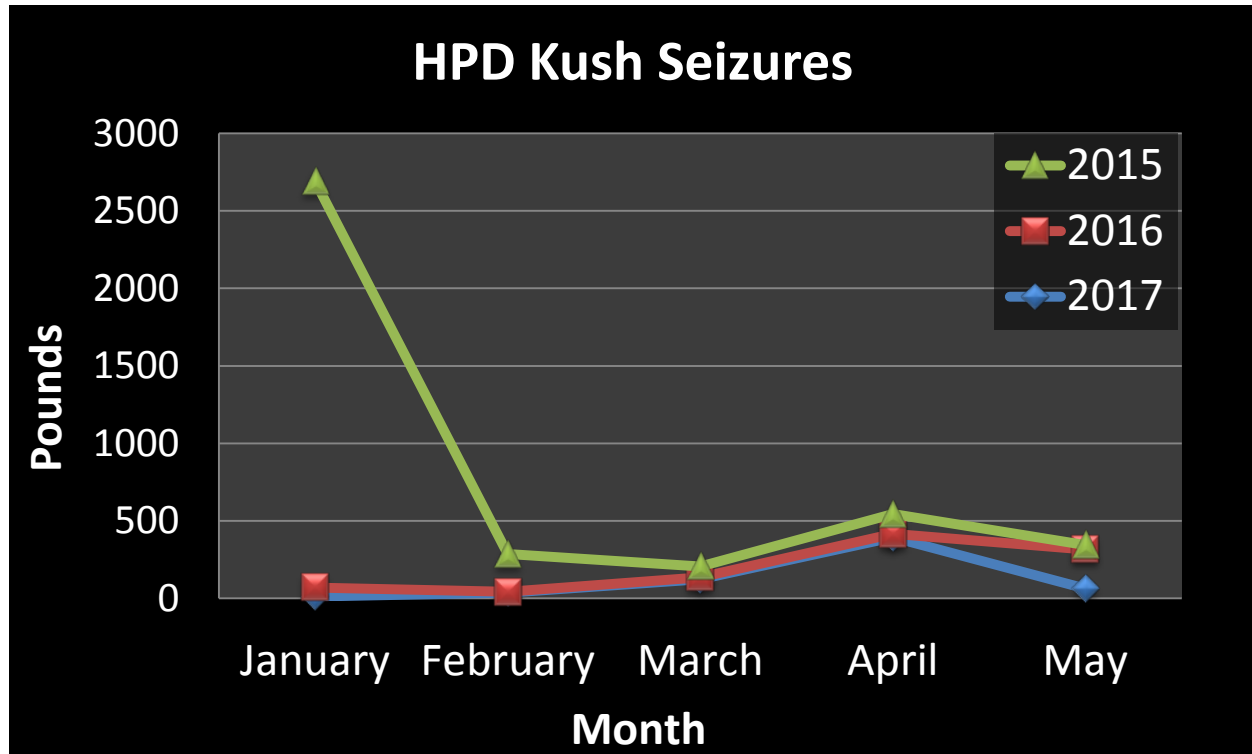


Houston Police Narcotics Division Kush seizures in 2015 were observed to be approximately 6,562 pounds. Seizures of Kush were significantly reduced from 2015 to 2016 reflecting an 85.58% reduction. From January 1, 2016 to December 31, 2016, a total of 946 pounds of Kush were seized. The aforementioned numbers are down from previously in the year 2015 when the new Kush laws were enacted by the State of Texas and combined with the collaborative effort.



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Conversely in 2017 Y.T.D., Kush seizures are in the amount of 628 pounds which when compared to the same time frame in 2015 and 2016, Kush seizures reflect a downward trend.



At its core and as a part of one of the continued goals to combat Synthetic Cannabinoids in the form of Kush, public awareness and participation remain a keystone for the reduction of Kush in and around the Houston area. Continual monitoring and the collaborative efforts of the F.A.S.T., Harris County Attorney's Office, City of Houston Legal Department, Texas Attorney General's Office as well as the Harris County District Attorney's Office, will ensure a continued reduction of Kush offenses for years to come.



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