



## San Diego City Attorney Mara W. Elliott

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# City Attorney Cracks Down on Spice Dealers

*Hillcrest smoke shop ordered to pay penalties of \$52,500 for peddling Spice*

City Attorney Mara W. Elliott announced today that Andy's Smoke Shop in Hillcrest, its owner, and its manager have been found liable for illegally selling Spice and ordered to pay penalties of \$52,500.

Spice is a synthetic substance that creates psychological effects similar to cocaine and methamphetamine and physical effects such as seizures, tremors, vomiting, and sometimes death. Its widespread use led to a sharp increase in drug overdoses in San Diego in the fall of 2015 and its sale was banned under an [ordinance](#) enacted by the City Council in 2016.

The civil penalties result from a trial last month at which Andy's Smoke Shop and owner Ghada Shaba were found responsible for selling spice, a controlled substance, despite its health dangers and illegality:

- In July 2016, after San Diego Police Department Narcotics Unit detectives conducted three undercover buys of spice at Andy's Smoke Shop, the City Attorney's Office and District Attorney's Office filed a joint complaint against the business. Appearing in court, Ghada Shaba promised that Andy's Smoke Shop would stop selling Spice.
- In August 2016, the Narcotics Unit executed a search warrant and seized approximately two pounds of spice. The City Attorney's Office filed of a criminal complaint against the store manager, Ossam Shaba.
- In February 2017, Ossam Shaba pled guilty to possession for sale of spice in violation of San Diego Municipal Code section 52.3303. The defendant was sentenced to three years of summary probation, two days in custody, and 28 days of public work service.
- In August 2017, following a bench trial, Superior Court Judge Katherine Bacal found Ghada Shaba, Ossam Shaba, and Andy's Smoke Shop Inc., responsible for violating California's Unfair Competition Law by selling a controlled substance. In addition to the total penalties of \$52,500, Andy's Smoke Shop was permanently ordered not to sell Spice. (A copy of the Complaint and the Judgment which the Court filed on Friday, September 22 are attached.)

**“Spice is a dangerous and potentially lethal drug,”** San Diego City Attorney Mara W. Elliott said **“My Office vigorously prosecutes the stores and merchants who put profits before the health and safety of our community.”**

Earlier this year, the Cave Smoke Shops owned by Alraheb Enterprises, Inc. agreed to stop selling spice and settled a civil law enforcement action with the San Diego City and District Attorneys' offices for \$28,000 in costs and penalties. Cave Smoke Shops are located in Hillcrest and North Park.

The City Attorney's [Consumer & Environmental Protection Unit](#) (CEPU) maintains a Consumer Hotline at (619) 533-5600 for consumers to call to report misleading advertising or fraud, or they may file a complaint [online](#). The duties of the CEPU include investigating and prosecuting false advertising, unfair business practices, and environmental crimes.



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