

## CBD/Vape Shop Response by Keller PD

- On January 11<sup>th</sup>, Keller Criminal Investigations Division began reviewing data related to medical calls at Keller High School
- Data showed two (2) medical emergencies related to delta-8 gummies and or THC vape pens (January 2022)
- Since September 2021, KHS has received 38 crime stopper tips for vape pens
- Since September 2021, KHS nurse has determined 11 students were under the influence of some type of substance
- KHS School Resource Officer gathered additional intelligence; many students confirmed there were multiple shops within Keller selling vape pens and other tobacco products to minors.
- CID identified a total of eight (8) businesses which sold vape pens, vape products and or CBD products
- Contacted Texas Comptroller's Office and they offered their assistance with undercover operations related to the sell of tobacco products to minors
- January 17<sup>th</sup>, 2022-CID Detective's made contact with all eight(8) businesses and they were advised that reports had been made of unknown locations selling tobacco products to minors; education/warnings given
- February 15<sup>th</sup>, 2022-CID Detective's along with Texas Comptroller's Office/State Police conducted undercover sting operation
- All eight (8) locations were visited during the sting operations and of those business, two (2) sold tobacco products to the undercover decoy
- Citations were issued to both clerks who sold the products and an inspection of the premises were conducted by State Police
- Detectives learned from the Comptroller's Office that CBD and delta-8 was not a regulated substance and consumers did not have to be 21 years of age to purchase
- The target of the sting operation was tobacco products (E-cigarettes) and not CBD or delta-8
- Texas Health and Safety Code 161.081 identifies E-cigarette as: an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine *or other substances* to the individual inhaling from the device; or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this subdivision