Prosecutor Claims Partial Victory

DOVER, N.H. -- A judge has found a downtown smoke shop not guilty of selling drug paraphernalia to an undercover agent, but the prosecutor still claims victory.

Superior Court Judge Bruce Mohl acquitted Smoke Signals on five charges of selling drug paraphernalia, ruling that most of the items seized by police during a raid last year had been returned, as legal, by prosecutors from a previous case.

The defense argued, and Mohl agreed, that the state based its case on items seized by police from their first raid on Oct. 19, 2001, which lead to similar charges. That case ended in a plea deal on Jan. 26, 2004, where prosecutors and defense attorneys worked out an agreement on what items would be prohibited from being sold at the store.

That same day, the items not prohibited by the agreement were returned to the store.

Less than two months later, police raided the store a second time after an informant bought a glass pipe and a chillum, a small pipe.

The second raid netted 177 pipes and chillums.

"The owners of Smoke Signals are happy and thankful to the court for a making a thoughtful and reasoned judgment," said defense attorney Jonathan Cohen. "But at the same time, we are disappointed, and have been disappointed, by the police conduct from the beginning of this matter."

Tom Velardi, the prosecutor, said he never agreed with the interpretation that the seized items were returned to the store two months earlier, but he said the authorities will have to live with the courts finding.

What pleases Velardi is the judge pointing out that "some, if not most, of the items seized" were drug paraphernalia.

"This is a decision to help us clarify what is drug paraphernalia for this county and the state," Velardi said.
We've presented all the facts, but ultimately the answer to that can only be determined by you. In case you're still having trouble figuring it all out, here's a few more facts straight from the HIGH TIMES Cultivation Labs:

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i live right near dover, and i go to this store all the time, there's never ANYTHING but tobacco pipes and hookahs... ridiculous

That is just not right. You are selling harmless objects made of glass made to provide pleasure and they are threatened by your enterprise. Why don't they go after the stores selling guns??

ya, us in south fla too...

I have a smoke shop in S Florida and was just visited by Homeland Security on Friday and was told to remove all my paraphernalia or else they would be taken. Earlier in the day, approx 5 miles down the road they visited my competition and took approx $100K and then hit others in Palm Beach as well. As the officer said "It was my lucky day as their trucks were full"

Just kidding people Peace.

Don't you get it we the police are the protectors of big business. We will crush people who do not spend there money towards big business. We enjoy the power. I like destroying families and taking your children away from you and throwing your freedom in the trash. Money making is all we care of no matter who it hirts. Ha Ha Ha Ha ha ha ha

Exactly Sky, crimes such as: THEFT, ASSAULT, GRAND LARCENY, ATTEMPTED MURDER AND PROMOTING TERRORISM. when the pigs do it it's called "Collecting Evidence"

I agree with Mos Dankidelix on this one. It's not considered drug paraphenalia unless the water-pipes or glass pieces are resinated. Which they weren't so FUCK THE COPS. WORRY ABOUT REAL CRIMES.

I'm surprised they don't try to seal up people's lips and plug up people's noses for being a potential avenue for the intro duction of ilegal drugs into the human body. Can the big retail stores sell pipes and papers in Dover? If so why don't the cops raid them, they have doughnuts there. mmmmmmmm doughnuts.

did they take me

Seems to me that the Dover Police Chief and the Prosecuting Attorney needs to get real jobs and stop stealing peoples property and ruining peoples lives.

The "Tobacco Pipe" or "Water pipe" isn't considered paraphenalia until you smoke out of it. The reason the pigs gave up so easily is because the chemical compunds of said pieces were Pyrex Glass and dichrilic coloring, no T.H.C was detected in any pieces.

theirs a bus
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