Various fencing structures mark the U.S. border with Mexico in Nogales, Ariz. Voters in the state will decide in November whether to legalize recreational marijuana, but law enforcement leaders say passage would strengthen the drug cartels. ASTRID GALVAN / AP

NOGALES, ARIZ. — Five states will vote Nov. 8 on whether to allow recreational pot, including Arizona and California, the first two border states to consider the idea.

If Arizona’s ballot measure passes, pot shops would soon arise in a place that has long been a center of drug smuggling. In cities such as Nogales, smugglers are seen almost daily scaling the border fence with backpacks of weed.
“This is a day-in and day-out fight,” said Col. Frank Milstead, head of the Arizona Department of Public Safety. “I can’t tell you that a day goes by that we don’t actually interdict somebody smuggling some sort of drug into the state.”

How drug cartels respond to legalization has been a focus of debate in Arizona.

Law enforcement leaders say the change will strengthen cartels, allowing them to infiltrate the legal pot market and driving them to sell more hard drugs. Advocates of legalization say it will undercut the cartels by eliminating a key segment of their business.

Carlos Alfaro, the deputy campaign manager for Proposition 205, says legalization in other states has already led to a drop in marijuana seizures by the Border Patrol.

From fiscal year 2011 to 2015, the number of seizures made by the agency nationwide fell by 39 percent. In the Tucson sector, at one point the busiest smuggling corridor in the nation, seizures fell by 28 percent, according to Border Patrol statistics.

“How cartels have competition,” Alfaro said. “They have to compete with legitimate business in the U.S. with product that is more pure, with regulations on the shelf and prices.”

Authorities still confiscate huge volumes of pot in Arizona. The Border Patrol seized nearly 800,000 pounds last fiscal year in the state. Another 120,000 pounds was seized at border crossings within the Tucson sector.

As marijuana becomes legal in more places, the cartels “are seeking to increase market share in other controlled substances, notably heroin and methamphetamine,” Tucson Sector Chief Paul Beeson said in a written statement.

Customs officers confiscated more than 4,100 pounds of meth and 863 pounds of heroin at Tucson sector border crossings last fiscal year. That’s a 46 percent increase in meth and a 77 percent increase in heroin over the last two years.

But for now, cannabis remains the primary drug seized on the border, Beeson said.

Most recently, smugglers have turned to homemade cannons to launch giant loads over the border fence.