



## Drug Offenses

Drug offenses are defined by **1) type of drug, 2) quantity of drug, and 3) method of committing the offense.** Criminal penalties range from a Class B Misdemeanor (example – Marijuana “simple possession”) to a First Degree Felony (example – Possession with Intent to Deliver more than 4 grams). Every drug offense punishment includes incarceration in the county jail or prison and/or a fine up to as much as \$10,000. Community Supervision (probation) may be available as an alternative to incarceration, but will include many conditions, such as drug counseling.

Drug offenses can include the following:

Conspiracy - Cultivation - Delivery - Possession - Possession with Intent to Deliver  
Distribution - Trafficking - Transporting - Possession of Chemicals for Manufacturing  
Manufacturing Controlled Substances

The offenses for the types of drugs are equally extensive and include some of the following:

Methamphetamine	Cocaine	Crack
Marijuana	Ecstasy (MDMA)	Heroin
Roofies (Rohypnol)	GHB (Gamma Hydroxy Butyrate)	Special K (Ketamine)
Xanax	Valium	Vicodin

A successful defense against a drug charge includes an investigation into the police procedures and methods resulting in the seized evidence, and whether those methods were proper and lawful. Often times these cases turn on the actions of the police – if they were improper, then the court should suppress the seized evidence. In a drug case, that usually results in a dismissal or is evidence the jury can consider. There are times where the police actions are lawful, but the accused person has strong reasons for deserving a lighter sentence than that offered by the prosecutor. In those cases, there are methods for the accused person to seek a more favorable punishment from a jury or the judge. All too often innocent individuals are swept into drug investigations and criminal charges due to their unknowingly association with drug activity – often the innocent person did not know their friend, boyfriend, or girlfriend was involved in drug activity.

Just like in a DWI case, a conviction for a drug offense can result in a number of consequences other than just the criminal penalty. The most notable consequence is criminal convictions affect the rest of your life. From a single drug conviction (no matter how minor or major), a person may receive a Driver's License Suspension, may not be able to get a job, and may not be able to receive financial aid to attend college.