





You Need to Know
What You Think About
Drugs and Their
Prosecution, Before
You Can Be An
Effective Drug
Prosecutor

Schedule Drugs

Schedule I

- High Potential for Abuse
- No medical use



Schedule II

- High potential for abuse
- Some medicinal use



Schedules III-V

- Lesser potential for abuse
- Generally a lot of medicinal value
- Hydrocodone (although the feds have made this a schedule II now)
- Diazepam (Valium)
- Alprazolam (Xanax)

Prosecution Post HB 348

ENHANCEMENTS

First offense:
Class A Misdemeanor

Second offense:
Class A Misdemeanor

Third Offense???

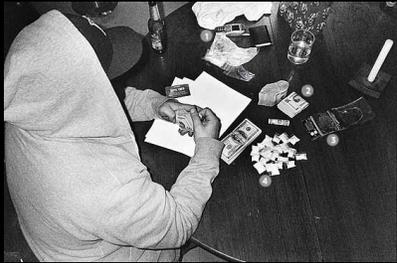
Attempt?

Plea in Abeyance?

Reduction under 402?

DRUG FREE ZONE

- School, preschool, etc.
- Between 6 am and 10 pm
- Or 100 feet
- Most other DFZs remain similar



DISTRIBUTION

Minor Changes

**DRUG SALES
OR USE ON
THESE PREMISES
WILL LEAD TO
ARREST AND
PROSECUTION!**

- Enhancement has to be based on prior convictions
- Prior was *second* or subsequent

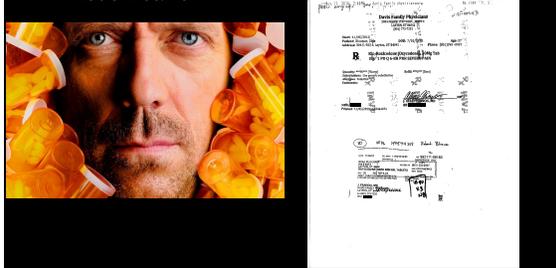
POSSESSION WITH INTENT

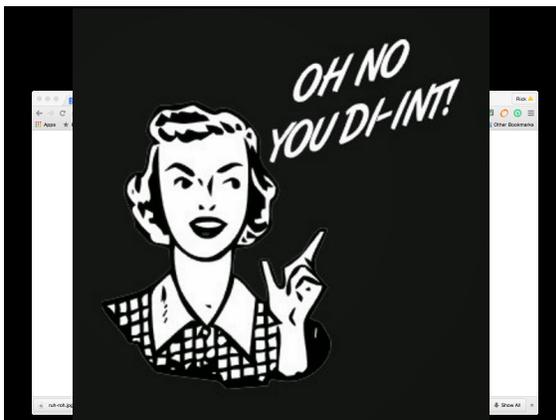


PRESCRIPTIONS

FRAUD v. FORGERY

- Class A misdemeanor
- Third Degree Felony







Experts

- Lab
- Possession with Intent





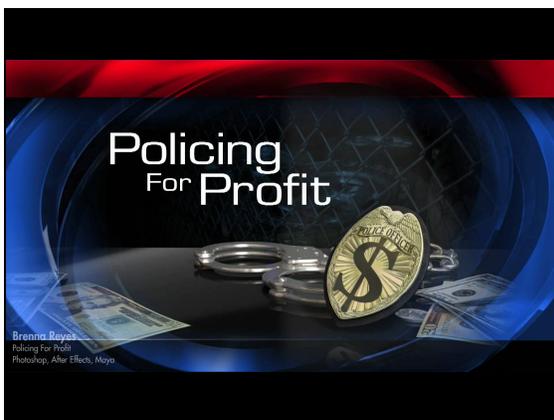
Just Because You Can....Doesn't Mean You Should

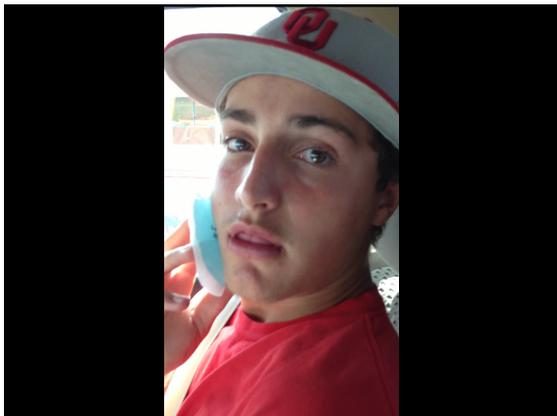
- There is almost always the ability to enhance
- Shouldn't be used as a bargaining chip











Questions?
Comments?
Concerns?

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