











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

Narcotics v. Legend Drugs



Schedule I

- Schedule I drugs, substances, or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse. Schedule I drugs are the most dangerous drugs of all the drug schedules with potentially severe psychological or physical dependence. Some examples of Schedule I drugs are:
- heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), methaqualone, and psycote

Schedule II

- Schedule II drugs, substances, or chemicals are defined as drugs with a high potential for abuse, less abuse potential than Schedule I drugs, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous. Some examples of Schedule II drugs are:
- cocaine, methamphetamine, methadone, hydromorphone (Dilaudid), meperidine (Demerol), oxycodone (OxyContin), fentanyl, Dexedrine, Adderall, and Ritalin

Schedule III

- Schedule III drugs, substances, or chemicals are defined as drugs with a moderate to low potential for physical and psychological dependence. Schedule III drugs abuse potential is less than Schedule I and Schedule II drugs but more than Schedule IV. Some examples of Schedule III drugs are:
- Combination products with less than 15 milligrams of hydrocodone per dosage unit (Vicodin). Products containing less than 90 milligrams of codeine per dosage unit (Tylenol with codeine), ketamine, anabolic steroids, testosterone

Schedule IV

- Schedule IV drugs, substances, or chemicals are defined as drugs with a low potential for abuse and low risk of dependence. Some examples of Schedule IV drugs are:
- Xanax, Soma, Darvon, Darvocet, Valium, Ativan, Talwin, Ambien

Schedule V

- Schedule V drugs, substances, or chemicals are defined as drugs with lower potential for abuse than Schedule IV and consist of preparations containing limited quantities of certain narcotics. Schedule V drugs are generally used for antidiarrheal, antitussive, and analgesic purposes. Some examples of Schedule V drugs are:
- cough preparations with less than 200 milligrams of codeine or per 100 milliliters (Robitussin AC), Lomotil, Motofen, Lyrica, Parepectolan

Distribution

- 58-37-8(1)



Possession

- 58-37-8(2)



Prescription

- 58-37-8(3)



ENADDI Frequently Abused Prescription and Over-the-Counter Drugs Identification Chart

Drug Name	Strength	Appearance	Drug Name	Strength	Appearance	Drug Name	Strength	Appearance
Albuterol Inhaler	2 mg	[Image]	Alprazolam	0.5 mg	[Image]	Amphetamine	5 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	1 mg	[Image]	Amphetamine	10 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	2 mg	[Image]	Amphetamine	20 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	3 mg	[Image]	Amphetamine	30 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	4 mg	[Image]	Amphetamine	40 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	5 mg	[Image]	Amphetamine	50 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	6 mg	[Image]	Amphetamine	60 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	7 mg	[Image]	Amphetamine	70 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	8 mg	[Image]	Amphetamine	80 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	9 mg	[Image]	Amphetamine	90 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	10 mg	[Image]	Amphetamine	100 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	11 mg	[Image]	Amphetamine	110 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	12 mg	[Image]	Amphetamine	120 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	13 mg	[Image]	Amphetamine	130 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	14 mg	[Image]	Amphetamine	140 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	15 mg	[Image]	Amphetamine	150 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	16 mg	[Image]	Amphetamine	160 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	17 mg	[Image]	Amphetamine	170 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	18 mg	[Image]	Amphetamine	180 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	19 mg	[Image]	Amphetamine	190 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	20 mg	[Image]	Amphetamine	200 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	21 mg	[Image]	Amphetamine	210 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	22 mg	[Image]	Amphetamine	220 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	23 mg	[Image]	Amphetamine	230 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	24 mg	[Image]	Amphetamine	240 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	25 mg	[Image]	Amphetamine	250 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	26 mg	[Image]	Amphetamine	260 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	27 mg	[Image]	Amphetamine	270 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	28 mg	[Image]	Amphetamine	280 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	29 mg	[Image]	Amphetamine	290 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	30 mg	[Image]	Amphetamine	300 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	31 mg	[Image]	Amphetamine	310 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	32 mg	[Image]	Amphetamine	320 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	33 mg	[Image]	Amphetamine	330 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	34 mg	[Image]	Amphetamine	340 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	35 mg	[Image]	Amphetamine	350 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	36 mg	[Image]	Amphetamine	360 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	37 mg	[Image]	Amphetamine	370 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	38 mg	[Image]	Amphetamine	380 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	39 mg	[Image]	Amphetamine	390 mg	[Image]
Albuterol Inhaler	2 mg	[Image]	Alprazolam	40 mg	[Image]	Amphetamine	400 mg	[Image]

Enhancements

- Drug Free Zones
- Marijuana
- Distribution



Experts

- Lab
- Possession with Intent



Be Consistent

- Remember that everything you decide to charge shows up on someone's BCI



Do The Right Thing For The Right Reasons

- Drug Programs
 - Diversion
 - Drug Courts
 - In jail programs
 - Prison programs

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



State v. Federal



Forfeiture

- Civil
 - Lower burden
 - Civil action
 - Often someone from civil division does the case
- Criminal
 - Filed as part of the information
 - Criminal burden

Both require the agency to have a policy and procedure in place as well as a designated forfeiture agent

Questions?


