Drug Offenses

Understanding Drug Offenses in Pennsylvania: Types and Penalties

The Criminal Defense Practice at Unruh Turner Burke & Frees has valuable insights into the specific types of drug offenses that can lead to charges in Pennsylvania, as well as the associated penalties upon conviction. We are here to guide you through the complexities of drug-related laws.

Types of Drug Offenses in Pennsylvania

Pennsylvania law classifies drug offenses into several categories, each pertaining to specific illegal activities related to controlled substances. These categories include:

Possession of a Controlled Substance: This offense involves having illegal drugs in your possession without a valid prescription. The severity of charges often depends on the type and quantity of the controlled substance. Possession of controlled substance offenses are misdemeanor offenses.

Possession with Intent to Deliver (PWID): When law enforcement suspects that an individual intends to distribute or sell a controlled substance, they may face PWID charges. PWID offenses are felonies and penalties are generally more severe for PWID convictions.

Drug Delivery Resulting in Death: A particularly serious offense, this occurs when the sale or distribution of controlled substances leads to someone's death. Penalties for drug delivery resulting in death are extremely severe and are graded as a first degree felony.

There are a number of other related crimes often charged in conjunction with drug offenses, such as:

DUI (Driving Under the Influence): When an individual operates a motor vehicle under the influence of alcohol and/or drugs. DUIs can vary between misdemeanors and felonies based on a person's prior offenses and the substances in their system.

Possession of Drug Paraphernalia: Almost every person charged with possession of drugs will be charged with possession of drug paraphernalia as well. Drug paraphernalia is anything that can be used to store, transport, package, contain, conceal or otherwise hold drugs. This offense is a misdemeanor.

Criminal Use of a Communication Facility: When there is evidence a person used their phone, computer or other device to facilitate a drug deal, this crime will often be charged. This crime is a third degree felony.

Dealing in Proceeds of an Unlawful Activity: This refers to laundering money gained through illegal activities such as drug dealing. This offense is a first degree felony.

Penalties for Drug Offenses in Pennsylvania

Pennsylvania enforces strict penalties for drug offenses, which can vary based on the specific offense, the type and quantity of the controlled substance, and an individual's prior criminal record. Common penalties include:

Fines: Convictions for drug offenses can result in substantial fines, which may amount to thousands of dollars.

Probation: Some individuals may be sentenced to probation, requiring regular check-ins and compliance with court-ordered conditions.

Asset Forfeiture: Courts may require individuals forfeit their assets if were purchased using the proceeds of drug sales. This is a proceeding known as civil asset forfeiture and the assets can range from small amounts of cash, to cars and even homes.

Jail or Prison Time: The severity of the offense determines the length of incarceration, ranging from a few months to decades behind bars.

Legal Support for Drug Offense Cases

If you or a loved one is facing drug offense charges in Pennsylvania, it is essential to seek experienced legal representation. The Criminal Defense Practice at Unruh Turner Burke & Frees has experience in drug offense cases and an in-depth understanding of Pennsylvania's drug laws. Our mission is to protect your rights and build a robust defense tailored to your unique circumstances.

Understanding the types of drug offenses and the potential penalties in Pennsylvania is vital for anyone navigating the legal system. If you are facing drug offense charges or require legal advice related to drug offenses, occurring in West Chester, Phoenixville or any other part of Chester County, do not hesitate to contact the Criminal Defense Practice at Unruh Turner Burke & Frees today. We are committed to providing legal guidance, safeguarding your rights, and helping you achieve the best possible outcome for your case. Knowledge is power, and we are here to empower you with the legal insight you need.