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First Name Last Name State



Indiana Drug Trafficking Laws

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Most people are familiar with the term "[trafficking \(https://criminal.findlaw.com/criminal-charges/drug-trafficking-distribution.html\)](https://criminal.findlaw.com/criminal-charges/drug-trafficking-distribution.html)" in the context of moving large quantities of illicit drugs, often from other countries and across state lines. Federal [drug trafficking laws \(https://www.dea.gov/druginfo/ftp3.shtml\)](https://www.dea.gov/druginfo/ftp3.shtml) target the largest drug operations, often those active in multiple states. While most state criminal codes don't have designated *drug trafficking* laws, per se, the sale of illicit drugs is criminalized in a weighted fashion. In other words, someone who drives a van full of uncut cocaine across the border will face much stiffer penalties than someone selling a gram of cocaine on the street corner.

Background Check Yourself

« 1 » Type In Any Name & Wait 10 Seconds. « 2 » Brace For the Results!

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Indiana's drug trafficking laws fall within the context of the state's Uniform Controlled Substances Act, which classifies large-scale drug sales offenses as a serious [felony \(https://criminal.findlaw.com/criminal-law-basics/felonies.html\)](https://criminal.findlaw.com/criminal-law-basics/felonies.html). Keep in mind that an individual may be charged with both federal and state crimes for the same offense.

Indiana Drug Trafficking Laws at a Glance

The following chart lists the highlights of Indiana's drug dealing and trafficking laws, including statute citations and penalties.

Statute	Indiana Code Section 35-48-4-1 (https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-4-1.html) . et seq.
Statutory Definition of Drug Dealing	A person who knowingly or intentionally manufactures; finances the manufacture of; delivers; or finances the delivery of [illicit drugs]... or possesses, with intent to [do any of the above] commits dealing in [drugs].

Indiana Drug Dealing Charges, Per Category and Amount

Cocaine, narcotics (heroin, etc.), or methamphetamine:

- Less than 1 gram: Level 5 felony
- 1 to 5 grams: Level 4 felony
- 5 to 10 grams: Level 3 felony
- At least 10 grams: Level 2 felony

All other schedule I ([35-48-2-4](https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-4.html) (<https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-4.html>)), II ([35-48-2-6](https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-6.html) (<https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-6.html>)), or III ([35-48-2-8](https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-8.html) (<https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-8.html>)) drugs (apart from marijuana and its derivatives, or synthetic drugs):

- Less than 1 gram: Level 6 felony
- 1 to 5 grams: Level 5 felony
- 5 to 10 grams: Level 4 felony
- 10 to 28 grams: Level 3 felony
- At least 28 grams: Level 2 felony

Marijuana, hash oil, hashish, or salvia, pure or adulterated ([35-48-4-10](https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-4-10.html) (<https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-4-10.html>)):

- Less than 30 grams marijuana or 5 grams hash oil/hashish/salvia: Class A misdemeanor
- Less than 30 grams marijuana or 5 grams hash oil/hashish/salvia & a prior drug charge conviction; or 30 grams to 10 pounds of marijuana or 5 grams to 300 grams hash oil/hashish/salvia: Level 6 felony
- 30 grams to 10 pounds of marijuana or 5 grams to 300 grams hash oil/hashish/salvia & a prior drug charge conviction; or more than 10 pounds marijuana or more than 300 grams hash oil/hashish/salvia: Level 5 felony

Schedule IV ([35-48-2-10](https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-10.html) (<https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-10.html>)) drugs:

- Less than 1 gram: Class A misdemeanor
- 1 to 5 grams: Level 6 felony
- 5 to 10 grams: Level 5 felony
- 10 to 28 grams: Level 4 felony
- At least 28 grams: Level 3 felony

Schedule V ([35-48-2-12](https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-12.html) (<https://codes.findlaw.com/in/title-35-criminal-law-and-procedure/in-code-sect-35-48-2-12.html>)) drugs:

- Less than 1 gram: Class B misdemeanor
- 1 to 5 grams: Class A misdemeanor
- 5 to 10 grams: Level 6 felony
- 10 to 28 grams: Level 5 felony
- At least 28 grams: Level 4 felony

Additional Qualifying Element of the Offense

A person may be convicted of [drug dealing] only if there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug.

Penalties

- Class B misdemeanor: Up to 180 days in jail, up to \$1,000 fine
- Class A misdemeanor: Up to 1 yr. in jail, up to \$5,000 fine
- Level 6 felony: 6 mos. to 2 1/2 yrs. in prison
- Level 5 felony: 1 to 6 yrs. in prison
- Level 4 felony: 2 to 12 yrs. in prison
- Level 3 felony: 3 to 16 yrs. in prison
- Level 2 felony: 10 to 30 yrs. in prison

All felony sentences carry a maximum fine of \$10,000.

Note: State laws are always subject to change. While we strive to provide the most current information available, please consult an attorney or conduct your own legal research to verify the state law(s) you are researching.

Related Resources

- [Drug Cartels and Organized Crime \(https://criminal.findlaw.com/criminal-charges/drug-cartels-and-organized-crime.html\)](https://criminal.findlaw.com/criminal-charges/drug-cartels-and-organized-crime.html)
- [Drug Dealing and Drug Sales Charges \(https://criminal.findlaw.com/criminal-charges/drug-dealing-and-drug-sales-charges.html\)](https://criminal.findlaw.com/criminal-charges/drug-dealing-and-drug-sales-charges.html)
- [Possession with the Intent to Distribute \(https://criminal.findlaw.com/criminal-charges/possession-with-the-intent-to-distribute.html\)](https://criminal.findlaw.com/criminal-charges/possession-with-the-intent-to-distribute.html)
- [Indiana Cocaine Laws \(https://statelaws.findlaw.com/indiana-law/indiana-cocaine-laws.html\)](https://statelaws.findlaw.com/indiana-law/indiana-cocaine-laws.html)
- [Meth Laws \(http://www.in.gov/meth/2331.htm\)](http://www.in.gov/meth/2331.htm) (Indiana State Government)

Get Legal Help with Your Drug Trafficking Case in Indiana

In order to convict of drug trafficking in Indiana, the state must prove that you intended to sell or transport drugs in addition to providing evidence that you possessed a certain amount of drugs. If you've been arrested and charged with drug dealing in Indiana, it's best to contact a local [drug crime lawyer \(https://lawyers.findlaw.com/lawyer/practicestate/drug-crime/indiana?fli=dcta\)](https://lawyers.findlaw.com/lawyer/practicestate/drug-crime/indiana?fli=dcta), who can help craft your defense and work toward the best possible outcome, whether it's an acquittal or a lighter sentence.

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Next Steps: Search for a Local Attorney

Contact a qualified attorney.

(e.g., Chicago, IL or 60611)

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