

Were You Arrested In The Charlotte Drug Trafficking Corridor?

Written by Australian Business

CHARLOTTE, NC, October 02, 2013 **/24-7PressRelease/** -- A web of highways and interstates criss-cross North Carolina, connecting major cities like Charlotte and Raleigh to Fayetteville, Wilmington and Greensboro, as well as other areas throughout the state. Both I-85 and I-77 pass right through Charlotte, creating thoroughfares for travelers up and down the East Coast.

This area is considered a High Intensity Drug Trafficking Area (HIDTA) and is targeted by local, state and federal authorities as a hub spot for the transport of illegal drugs in and out of North Carolina. Geographically-targeted policing often means that innocent people are swept up in a large net that was cast with the intent of stopping actual drug traffickers. It also means that those who may commit a drug offense will find themselves charged with trafficking when simple possession or possession with intent to sell or deliver was the appropriate charge.

What Is Drug Trafficking? Manufacturing, selling, distributing, transporting or simply possessing a large quantity of a controlled substance can be prosecuted as a drug trafficking crime. In addition, if you are believed to be working with another person or people in doing any of these things, you may face charges of conspiracy to traffic drugs.

Possession of the following minimum quantities of drugs will likely result in a drug trafficking charge:- 10 pounds or more of marijuana- 50 doses or more of synthetic marijuana (synthetic cannabinoids)- 28 grams or more of cocaine- 4 grams or more of heroin or opium, including Oxycodone and Hydrocodone- 100 tablets or more of ecstasy (MDMA) or LSD

Drug trafficking in North Carolina is a felony drug offense and will trigger the application of mandatory minimum sentencing. If you are convicted of drug trafficking in North Carolina, you will spend time in prison, even if this is your first offense. The circumstances that lead to a drug trafficking charge or a conspiracy to traffic drugs can also lead to federal drug charges. Trafficking is a serious criminal offense.

North Carolina Drug Trafficking Penalties North Carolina has adopted a structured sentencing system. A criminal offense is classed at a specific level by statute; upon conviction, an individual's criminal sentence will be based on this structured system and any prior criminal history. Mandatory minimum sentences imposed on drug trafficking convictions are substantially higher than those called for under the structured sentencing system.

For example, a drug trafficking conviction involving 10-50 pounds of marijuana is a Class H

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felony. Under the structured sentencing guidelines, this would mean a possible sentence of 5-6 months. It does not. The mandatory minimum sentence for trafficking at least 10 pounds of marijuana but less than 50 is 25-39 months.

The minimum sentences that can be expected for a trafficking conviction are as follows:-
Trafficking at least 50 doses of synthetic marijuana. Class H felony. 25-39 months- Trafficking at least 28 grams of cocaine. Class G felony: 35-51 months- Trafficking at least 4 grams of heroin, opium, hydrocodone, oxycodone. Class F felony. 70-93 months- Trafficking at least 100 tablets of ecstasy or LSD. Class G felony. 35-51 months Each mandatory minimum drug trafficking sentence also includes a mandatory minimum fine.

Prison time for trafficking drugs can quickly add up. A drug trafficking sentence must be served consecutively (or one right after another) rather than concurrently (at the same time) with any other existing sentence for a separate offense. You should also expect to spend several months under post release supervision (PRS) after completing a drug trafficking prison sentence.

A conviction for conspiracy to traffic, rather than for actual trafficking, will be sentenced at the same mandatory minimum level as the underlying crime. However, attempted drug trafficking is sentenced using the structured sentencing grid rather than mandatory minimums. A conviction for attempted drug trafficking should mean a substantially lesser sentence than that for the completed crime.

Is It Possible To Fight Drug Trafficking Charges? The best drug trafficking defense strategy forces the state or federal prosecutor to prove every element of a drug trafficking defense. If the prosecutor cannot do so, an experienced defense lawyer should be able to argue for dismissal, negotiate a favorable plea for reduced charges or fight the drug trafficking charges at trial, depending on the circumstances of the case.

Issues that your drug trafficking defense attorney should examine when evaluating your options to create your best trafficking defense strategy should include:

Constitutional issues during the investigation. Was the traffic stop unconstitutional? Were you properly read your Miranda rights? Were you provided an attorney once requested?
Weaknesses in the government's case.

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Can the government prove every element of the charged offense? Is there dispute as to whether you were in actual possession of the drugs in question? Is the actual amount of drugs involved in question?

Credibility issues in the witnesses presented by the government.

Is the prosecutor relying on the testimony of a snitch? Has the crime lab involved in your case been subject to investigation in prior cases?

Choosing the right defense lawyer is extremely important in any drug trafficking case. You should consider whether the attorney has experience handling drug trafficking cases and whether he or she is licensed to practice in both state and federal courts. Often, drug trafficking crimes may be charged as either a North Carolina drug offense or as a federal drug offense - your attorney should be prepared for either scenario.

This informational article is provided by the drug trafficking defense attorneys of Roberts Law Group, PLLC, a law firm dedicated to protecting the rights of the accused throughout North Carolina. To learn more about the firm, please visit our [Charlotte criminal defense website](#) . Like us on Facebook, follow us on Twitter or +1 us on Google+ to get the latest updates on safety and criminal defense matters in North Carolina.