

<u>VIOLATION</u>	<u>FINE</u>	<u>PRISON TERM</u>	<u>OTHER</u>
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PENNSYLVANIA

For guidance purposes only; review statutes for further details and amendments

Underage drinking	\$25		90 day drivers license suspension
DUI (1st offense)	\$300–\$5,000	48 hr. mandatory	1 year drivers license revocation
DUI (2nd offense)	\$300–\$5,000	30 day mandatory	1 year drivers license revocation
DUI (3rd offense)	\$300–\$5,000	1 year mandatory	1 year drivers license revocation
Possession of Marijuana/Hashish	Up to \$5,000	Up to 5 years	
Unlawful manufacture, processing, distributing, possessing with intent to sell stimulant or depressant	Up to \$10,000	Up to 5 years	
Falsely representing a substance to be a non-controlled substance, distributing, possessing with intent to sell	Up to \$10,000	Up to 5 years	
Unlawful possession or delivery of drug paraphernalia	Up to \$2,500	Up to 1 year	
Unlawful manufacture, processing, distributing, possessing with intent to sell heroin, opium or other narcotic drugs	Up to \$250,000	Up to 15 years	
Unlawful manufacture, processing, distributing, possessing with intent to sell phencyclidine	Up to \$100,000	Up to 10 years	
Unlawful manufacture, processing, distributing, possessing with intent to sell Schedule I non-narcotic drugs, such as: methamphetamine, mescaline, marijuana; Schedule II non-narcotic drugs, such as some amphetamines, or their derivatives; Schedule III drugs or their derivatives	Up to \$15,000	Up to 5 years	

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Unlawful manufacture or distribution of Schedule IV substances, such as phenobarbital or related drugs	Up to \$10,000	Up to 3 years	
Unlawful manufacture or distribution with intent to sell Schedule V substances	Up to \$1,000	Up to 1 year	
Unlawful manufacture, distribution with intent to sell Designer Drugs	Up to \$250,000	Up to 15 years	

DELAWARE

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DUI (1st offense)	Up to \$200	Up to 60 days	1 year drivers license suspension
DUI (2nd offense)	Up to \$2,000	Up to 18 months	18 months drivers license suspension plus successful completion of alcohol abuse school
Underage possession of alcohol	\$100 (if no drivers)		1 st Offense: Loss of drivers license for 30 days
Subsequent offenses	\$200-\$500		1 st Offense: Loss of drivers license for 60-180 days
Underage drinking or provision of alcohol to underage person	1st Offense Up to \$500	Up to 30 days	
Underage drinking or provision of alcohol to underage person	2nd Offense Up to \$1,000	Up to 60 days	
Manufacture, delivery or possession with the intent to sell a controlled substance classified in Schedule I or II	From \$5,000 to \$50,000	From 2 to 20 years	
Trafficking in Marijuana			
(5–99 lbs.)	\$25,000	3 years min. mandatory	
(100–499 lbs.)	\$50,000	5 years min. mandatory	
(500 lbs. or more)	\$100,000	15 years min. mandatory	
Trafficking in Cocaine			
(5–49 grams)	\$50,000	3 years min. mandatory	
(50–99 grams)	\$100,000	5 years min. mandatory	
(100 or more grams)	\$400,000	15 years min. mandatory	

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Trafficking in Morphine, Opium or Heroin

(5–15 grams)	\$75,000	3 years min. mandatory	
(15–50 grams)	\$150,000	10 years min. mandatory	
(50 grams or more)	\$750,000	25 years min. mandatory	

Trafficking in Methamphetamine

(5–49 grams)	\$50,000	3 years min. mandatory	
(50-99 grams)	\$100,000	5 years min. mandatory	
(100 grams or more)	\$400,000	15 years min. mandatory	

Trafficking in Phencyclidine

(5–49 grams)	\$50,000	3 years min. mandatory	
(50-99 grams)	\$100,000	5 years min. mandatory	
(100 grams or more)	\$400,000	15 years min. mandatory	

Trafficking in LSD

(50-99 doses)	\$50,000	3 years min. mandatory	
(100-500 doses)	\$100,000	5 years min. mandatory	
(more than 500 doses)	\$400,000	15 years min. mandatory	

Designer Drug Trafficking

(any quantity)	\$400,000	15 years min. mandatory	
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Possession of Schedule

I through V substances	\$500	2 years maximum	
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Unlawful possession

of a prescription drug	\$1,000	6 months maximum	
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Possession of hypodermic

needles, drug paraphernalia	Up to \$100	2 years maximum	
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Unlawful distribution of

controlled substances drug	Unlimited	30 years maximum	
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FEDERAL PENALTIES

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**Illegal Possession of a
Controlled Substance**

1st conviction	\$1,000 to \$100,000	Up to 1 year
After 1 prior drug conviction	\$2,500 to \$250,000	At least 15 days, not to exceed 2 years
After 2 or more prior drug convictions	\$5,000 to \$2,500	At least 90 days, not to exceed 3 years

For all offenses:

Denial of federal benefits, such as student loans, grants, contracts and professional or commercial licenses up to 1 year for 1st offense, up to 5 years for all subsequent offenses

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment

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Illegal possession of Crack Cocaine (Special sentencing provisions)

1st conviction and amount exceeds 5 gms;	Up to \$250,000	Minimum 5 years Maximum 20 years	Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal
2nd conviction and amount exceeds 3 gms;			Civil fine up to \$10,000 (pending)
3rd conviction and amount exceeds 1 gm			Ineligible to receive or purchase a firearm Revocation of certain Federal licenses: pilot license, public housing tenancy, etc. possible Fine, prison or both plus denial of Federal benefits and ineligibilities as listed above

Trafficking in Marijuana Mixture (includes Hashish or Hashish Oil)

1,000 kg or more; or 1,000 or more plants	1st offense	Minimum 10 years to life	See state sanctions
		Up to \$4 million Individual, \$10 million other than Individual	
	2nd offense	Minimum 20 years to life	See state sanctions
		Up to \$8 million Individual, \$20 million other than individual	

Trafficking in Marijuana Mixture (includes Hashish or Hashish Oil)

100-1000 kg; or 100-999 plants	1st offense	Minimum 5 years to life	See state sanctions
		Up to \$2 million Individual, \$5 million other than Individual	
	2nd offense	Minimum 10 years to life	See state sanctions
		Up to \$4 million Individual, \$10 million other than individual	

Trafficking in Marijuana, Hashish or Hashish Oil

50-100 kg of Marijuana	1st offense	Not more than 20 years	See state sanctions
10-110 kg of Hashish		Individual, \$5 million other than individual	
1-100 kg Hashish Oil		If death or injury, not less than 20 years, not more than life	
50-99 Marijuana plants			

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	2nd offense	Not more than 30 years	See state sanctions
	Up to \$2 million		
	Individual, \$10 million other than individual	If death or serious injury, life	

Less than 50 kg Marijuana	1st offense	Up to 5 years	See state sanctions
10 kg Hashish	Up to \$250,000		
1 kg Hashish Oil	Individual, \$1 million other than individual		

	2nd offense	Up to 10 years	See state sanctions
	Up to \$500,000		
	Individual, \$1 million other than individual		

Trafficking in Schedule I and II Substances Listed, in quantities noted

100-999 gm Methamphetamine Mixture	1st offense	Minimum 5 years Maximum 40 years	See state sanctions
100-999 gm Heroin Mixture	Individual, \$5 million other than individual	If death or serious injury: Minimum 20 years, Maximum life	

500-4999 gm Cocaine Mixture	2nd offense	Minimum 10 years Maximum life	See state sanctions
5-49 gm Cocaine Base Mixture	Individual, \$10 million other than individual	If death or serious injury: Minimum life	
10-99 gm PCP Mixture			
1-10 LSD Mixture			
40-399 gm Fentanyl Mixture			
10-99 gm Fentanyl Analogue Mixture			

Trafficking in Schedule I and II Substances Listed, in quantities noted

100 gm / more Methamphetamine	1st offense	Minimum 10 years	See state sanctions
1 kg / more Methamphetamine Mixture	Up to \$4 million Individual, \$10 million other than individual	If death or serious injury: Minimum 20 years, maximum life	
1 kg or more Heroin Mixture	2nd offense	Minimum 20 years Maximum life	See state sanctions
5 kg or more Cocaine Mixture	Up to \$8 million Individual, \$20 million other than individual	If death or serious injury: Minimum 20 years, maximum life	

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50 gm or more Cocaine
 Base Mixture
 100 gm or more PCP
 1 kg or more PCP
 Mixture
 10 gm or more LSD Mixture
 400 gm or more Fentanyl
 Mixture
 100 gm or more Fentanyl
 Analogue Mixture

Trafficking in other Schedule I and II Substances, except Marijuana, Hashish or Hashish Oil, in any quantity

1st offense	Up to 20 years	See state sanctions
Up to \$1 million		
Individual, \$5 million other than individual	If death or serious injury: Minimum 20 years, maximum life	
2nd offense	Up to 30 years	See state sanctions
Up to \$2 million	If death or serious injury: life	
Individual, \$10 million other than individual		

Trafficking in all Schedule III Substances in any quantity

1st offense	Up to 5 years	See state sanctions
Up to \$250,000		
Individual, \$1 million other than individual		
2nd offense	Up to 10 years	See state sanctions
Up to \$500,000		
Individual, \$2 million other than individual		

Trafficking in all Schedule IV Substances in any quantity

1st offense	Up to 3 years	See state sanctions
Up to \$250,000		
Individual, \$1 million other individual		
2nd offense	Up to 6 years	See state sanctions
Up to \$500,000		
Individual, \$2 million other than individual		

Trafficking in all Schedule V Substances in any quantity

1st offense	Up to 1 years	See state sanctions
Up to \$100,000 Individual, \$250,000 other than individual		
2nd offense	Up to 2 years	See state sanctions
Up to \$200,000 Individual, \$500,000 other than individual		