

What is Happening with the Florida Drug Law?

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Fighting a [drug charge](#) can be extremely complicated. Now with the new changes in the Florida Drug Law, things may be even more confusing. A [criminal defense lawyer](#) is the best person to speak with if you have questions about the drug crime allegations against you. Since Orange County Judge Mary Scriven found the Florida Drug Abuse Prevention and Control law unconstitutional, charging offenders with drug crimes involving intent is becoming a grey area.

Drug Law in Florida

Judge Scriven called the law “atavistic and repugnant to the common law,” after Mackle Vincent Shelton, was convicted on a cocaine offense and sentenced to 18 years in prison even though he was unaware that his friend hid cocaine in his backpack.

The idea behind the Drug Abuse Prevention and Control Law is the removal of the intent requirement. Basically, the offender can be convicted of a legitimate drug crime even if they were unaware that they were in possession of the substance.

The law is being aggressively protested and the National Association of Criminal Defense Lawyers and the American Civil Liberties Union, have filed briefs against it. WPTV News reported that the case is on a fast track to the Florida Supreme Court. The Florida Supreme Court has set an oral argument for December 6.

According to WPTV News, a Miami appellate court recently upheld the drug law’s constitutionality.

Depending on the Florida Supreme Court’s ruling, the case can have a very significant impact on thousands of drug offenders. Being [charged with a drug crime](#) is already a messy process, now mixing in the change in legislature could drag the process on even longer.

Criminal Defense

If you have been charged with drug possession or [drug trafficking](#), you need to contact a [criminal defense lawyer](#) immediately. These changes in legislation are going to significantly impact the possibility of a

conviction. A criminal defense lawyer is knowledgeable about this situation and can help you devise a strategy for the best possibly outcome.

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