



**ASSOCIATION OF
INDIANA PROSECUTING ATTORNEYS, INC.**

Indianapolis, IN 46204-2767

Phone: (317) 232-1836

Fax: (317) 233-3599



FOR IMMEDIATE RELEASE

December 9, 2015

**Protecting Indiana Families and Children
Association of Indiana Prosecuting Attorneys, Inc. Announces 2016 Legislative Goals**

Indiana prosecuting attorneys today recommended that serious drug dealers – the kind of criminals responsible for the alarming increase in meth labs, pharmacy robberies, heroin overdoses, home invasions and other violent crime in Indiana – receive new punishments that fit their crimes during the Indiana General Assembly’s 2016 session that convenes on Tuesday, January 5, 2016.

At a press conference in Indianapolis, Marion County Prosecutor Terry Curry, Dearborn/Ohio Prosecutor F. Aaron Negangard and Washington County Prosecutor Dustin Houchin described the violence, misery and damage to children, families and the general population that has spurred Indiana’s prosecutors to:

- Seek a new crime of aggravated drug dealing, and
- Join with other organizations representing Indiana police chiefs, mayor, sheriffs, state police, and firefighters, calling for the drug pseudoephedrine to be dispensed via prescription.

As elected prosecutor of Indiana’s largest metropolitan area, Prosecutor Curry said, “It is no secret that drug trafficking and drug dealing are driving much of the violent crime in our state, including homicides which are occurring at a record pace. What we aim to target with this legislation are criminal organizations which distribute drugs in our communities, often employing violence as a means to further their criminal business interests. Creating a new level of crime for aggravated drug dealing would allow courts to levy more serious penalties, giving prosecutors and law enforcement an additional tool to use in dismantling these criminal operations.”

Dearborn/Ohio County Prosecutor Aaron Negangard championed the creation of an aggravated drug dealing crime for the Indiana criminal code. “We have a serious drug problem ruining lives across the state and threatening the safety of our citizens,” he said. “These dealers are dangerous people and we need a law on the books that ensures they will be spending time in prison and not wreaking havoc in our communities.”

Washington County Prosecutor Dustin Houchin said that Indiana prosecutors support making the sinus medication pseudoephedrine available by prescription only. Not only has Indiana law enforcement dismantled 4,477 meth labs since 2013, they have rescued 1,104 children living in a meth lab environment. “The process of making meth is essentially equal to making a bomb. The leftover materials from meth-making are equally toxic and dangerous to the meth maker, any children nearby and the law enforcement officials cleaning up afterward.”

Indiana Association of Prosecuting Attorneys Contact:

Connie S. Smith • Public Affairs Officer

Cosmith1@ipac.in.gov

317-233-3923 • 317-473-3020



**ASSOCIATION OF
INDIANA PROSECUTING ATTORNEYS, INC.**

Indianapolis, IN 46204-2767

Phone: (317) 232-1836

Fax: (317) 233-3599



Problem: With the current surge in drug abuse and violent crime, Indiana's drug dealing penalties are too low to protect our citizens.

Why it's a problem:

- In Indiana, there has been a 32.2% increase in murder since 2010 according to the recently released court data.
- 26% increase in DCS abuse and neglect report over the past year, some of which is directly related to drug abuse.
- Close to 90% of CHINS cases are related to substance abuse.
- Misdemeanor theft filings are up 90% in the first six months of 2015 compared to the first 6 months of 2014.
- Indiana is # 1 in meth labs.
- Indiana is # 1 in pharmacy robberies.
- Heroin and opiate abuse is at epidemic proportions in Indiana and the Midwest. High grade heroin is arriving daily from Mexico.
- Intravenous drug abuse has created an HIV and Hepatitis C crisis in the State.
- US drug overdose deaths more than doubled since 1999. (CDC)
- US drug overdose deaths from heroin have tripled over the same period of time. (CDC)
- Doctors wrote 259 million prescriptions for painkillers in 2012, which comes out to enough for every American adult to have a bottle of pills. (CDC)
- Drug overdose was the leading cause of death in the US starting in 2013, overtaking traffic crashes. (CDC)
- Under current law in Indiana, a convicted meth/heroin dealer/manufacturer could get as little as a 1 year sentence (minimum on a Level 5), which can all be suspended.
- Before July 1, 2014 dealing drugs to a child carried a minimum sentence of 20 years. Today, the same offense carries a minimum sentence of 2 years, all of which may be suspended.
- Prior to July 1, 2014, dealing drugs within 1,000 feet of a drug free zone, such as a school or public park, or daycare center carried a minimum sentence of 20 years. Today, the same offense carries a minimum sentence of 2 years, all of which could be suspended. (Family housing complexes and youth program centers were removed from the definition of drug free zones and remaining zones were reduced to 500 feet.)
- Drug abuse is driving crime in Indiana.
- No one wants to live, work, worship or shop in a community that is not safe
- Drug addicts commit crimes at a high level to support their addiction and lifestyle.



**ASSOCIATION OF
INDIANA PROSECUTING ATTORNEYS, INC.**

Indianapolis, IN 46204-2767

Phone: (317) 232-1836

Fax: (317) 233-3599



Solution: Create a new aggravated drug dealing crime for the most serious drug dealers and schedule pseudoephedrine.

Schedule Pseudoephedrine

- Indiana is poised to hold the dubious distinction of the meth lab capital of the United States for the third year in a row.
- Since 2013, Indiana Law Enforcement agencies have:
 - dismantled 4,477 meth labs,
 - rescued 1,104 children living in a meth lab environment
 - arrested 3,766 people connected to manufacturing meth.
- As of 10/31/15 there have been 1,302 meth labs incidents reported to law enforcement in 2015.
 - 278 children have been identified in clandestine lab environments
- The domestic manufacturing of meth poses an intolerable threat to public safety, the environment, and already strained community resources.
- Scheduling Pseudoephedrine will stop the domestic manufacturing of meth that is occurring today in garages, apartments, trunks of vehicles, and bathrooms of local grocery stores.
- It will not stop meth use as loads of meth and heroin are brought to Indiana by cartels from Mexico every day. However, the cartels are here now, operating in a vacuum as law enforcement spend much of their time chasing smurfs and cleaning up one pot labs.
- There are already several tamper-resistant PSE products currently being sold today, scheduling of PSE would not affect the availability of these products.
- In 2005, Indiana required PSE products to be kept behind the pharmacy counter, consumers to show a government issued ID, and all sales be recorded. Later, limitations were placed on the amount a person could purchase in one day, one month, and one year. Despite these efforts, Indiana saw an estimated 70% increase in meth lab incidents from 2005 to 2015.
- In 2011, NPLeX became the required system to track PSE sales on the promise it would stop domestic meth labs by blocking the sale if the consumer was over the legal limit. As of 2015, Indiana has seen a 29.6% increase in the number of meth lab incidents since the full implementation of NPLeX on January 1, 2012.
- Oregon and Mississippi have nearly eliminated domestic meth labs by requiring a prescription for PSE products.
 - In 2006, Oregon was the first state to take this route and witnessed a 96% reduction in meth labs.
 - In 2010, Mississippi followed and saw an 83% decrease in meth labs.
- 15 Organizations are member of the Indiana Coalition Against Meth Making Meds (ICAMMM): Community Pharmacies of Indiana, Hoosier Environmental Council of Indiana, Indiana Association of Chiefs of Police, Indiana Association of Cities and Towns, Indiana Conference of Mayors, Indiana Drug Enforcement Association, Indiana Fire Chiefs Association, Indiana Prosecuting Attorneys Council, Indiana Public Defender Council, Indiana State Fraternal Order of Police, Indiana State Police, Indiana State Police Alliance, Local Health Department Managers Association, Professional Fire Fighters Union of Indiana, TrueScripts.