

**SKOKOMISH CRIMINAL CODE  
DRUG-RELATED OFFENSES**

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**9.09.010 Definitions**

All terms used in this Chapter shall be given their commonly accepted meaning. If there is doubt as to the meaning of a term, the Court shall be guided by the definitions of the Uniform Controlled Substances Act - Title 69 RCW Chapter 69.50 as it may be hereafter amended. Nothing in the chapter shall be construed to make illegal an act which is legal under the Uniform Controlled Substances Act.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**9.09.020 Substances Which Are Illegal Without a Valid Prescription**

Any substance that contains any quantity of a chemical that falls within the following categories is illegal to possess without a valid prescription. The full list of chemicals contained within these categories can be found in the Uniform Controlled Substances Act. If there is any doubt as to whether a substance is illegal or not, the Court shall be guided by the provisions of the Uniform Controlled Substances Act.

Illegal Substances:

- (a) Opiates including, but not limited to, substances commonly known as opium, heroin, morphine, methadone, and codeine;
- (b) Hallucinogenic substances including but not limited to substances commonly known as DMA, LSD, PCP, mescaline, peyote (peyote is NOT to be considered a controlled substance if used in conjunction with a religious ceremony), and psilocybin;
- (c) Marijuana;
- (d) Cocaine in any form including but not limited to the powder and the rock or "crack" form;
- (e) Depressants including but not limited to methaqualone, diazepam (Valium), secobarbital; and
- (f) Stimulants including but not limited to any form of amphetamine.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

### **9.09.030 Proof of Chemical Composition**

The chemical composition of a substance may be proved by any acceptable method of identification, including but not limited to identification by a trained law enforcement officer, by field tests, or by laboratory tests.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

### **9.09.040 Elements of Offenses and Penalties**

- (a) Any person who possesses for personal use or grows for personal use any of the substances listed in Section 9.09.020 shall be guilty of a class C offense.
- (b) Any person who grows, manufactures, delivers, or possesses with intent to sell, deliver, or manufacture, any of the substances listed in Section 9.09.020 shall be guilty of a class B offense. The term "manufacture" shall not apply to growing for personal use.
- (c) Any person who creates, delivers, or possesses a counterfeit illegal drug shall be guilty of a class B offense. A counterfeit illegal drug is a substance which, although not in fact containing any illegal drug, or not in fact containing the drug it purports to contain, was intended to be understood by others to be a substance listed in section 9.09.020.
- (d) Any person who offers, arranges, or negotiates for the delivery of an illegal drug listed in Section 9.09.020 and then delivers any other substance in lieu of an illegal drug listed in Section 9.09.020 shall be guilty of a class B offense.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

#### Legislative History prior to July 5, 2017

+Adopted by Resolution No. 95-57 (June 7, 1995)  
+Amended by Resolution No. 98-12 (March 19, 1998)  
+Amended by Resolution No. 04-112 (September 8, 2004)  
Reaffirmed by Resolution No. 17-100 (July 5, 2017)

+Ordinance and/or amendments not attached to the resolution in the Skokomish Tribal Archives