

# Penal Law

Most crimes involving the unlawful possession and distribution of drugs are defined under the New York Penal Law, which contains exhaustive lists of various controlled substances, specific types of offenses, and sanctions ranging from a fine or not more than \$100 to imprisonment for life.

**Sec. 120.05.5**, assault in the second degree, prohibits the administration to another, without his consent, of a drug, substance or preparation capable of causing stupor, unconsciousness or other physical impairment or injury.

**Sec. 130.00.6** provides that administration of a narcotic or intoxicating substance to another, without their consent, that causes them to become mentally incapacitated, renders the administrator guilty of rape, sodomy or sexual abuse upon the requisite sexual activity. In more simple terms, sexual conduct following the unwitting consumption of so called “date rape” drugs or “spiked” drinks makes those who administered the drug guilty of rape, sodomy or sexual abuse.

**Sec. 170.05**, forgery in the third degree, prohibits the making, completing or altering of a written instrument with intent to defraud, deceive or injure another. This section can be used to charge a person who alters a driver’s license or other official form of identification for the purpose of obtaining alcoholic beverages.

**Sec. 170.20**, criminal possession of a forged instrument, prohibits the possession of a written instrument as described above, regardless of who made, completed or altered it.