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## THE DRUGSPOT

WE CREATED THIS BLOG TO HIGHLIGHT SOME OF THE MANY NEWS STORIES OUT THERE INVOLVING DRUGS IN SOME FORM OR ANOTHER. WE PLAN ON POSTING LOCAL, NATIONAL, AND WORLD NEWS ARTICLES, BOTH STORIES THAT YOU MAY HAVE HEARD ABOUT AND STORIES THAT WERE PROBABLY OVERLOOKED OR NOT REPORTED BY THE MAINSTREAM MEDIA (WHICH IS WHAT OFTEN HAPPENS). BASICALLY, WE THINK IT WOULD BE NICE TO HAVE AN ARCHIVE OF SOME OF THE DRUG NEWS STORIES WE STUMBLE ACROSS ON A DAILY BASIS, AND WE'D LIKE TO SHARE IT WITH YOU.

THURSDAY, JUNE 29, 2006

### Judge upholds constitutionality of Tennessee meth law

[WMCTV.com](#)

Jasper, Tenn. (AP) - A judge disagreed with a challenge to Tennessee's methamphetamine law Monday but told attorneys for dozens of people charged with promoting manufacture of the illegal drug that he would listen to other complaints about the law at a July 20 hearing.

The law restricts large purchases of cold and allergy tablets that contain pseudoephedrine, a key ingredient in making meth, as well as other common products such as coffee filters or matches, if they are knowingly purchased to make the drug.

Circuit Judge Thomas Graham said that provision of the law is not vague and does not violate the due process right of innocent consumers. He said there is a violation of the law if someone buying those products "knew, or should have known this is going to end up in methamphetamine use." After a two-hour hearing he invited attorneys to return July 20.

The judge suggested that additional language in the law allowing charges for such purchases made "with reckless disregard of its intended use" might be subject to questions.

CONTRIBUTORS

KAYABOY

BUSTY WILDE

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Phil Condra, public defender in the 12th Judicial District, told Graham during the hearing that the vagueness of the March 2005 law puts innocent consumers in jeopardy because it allows law officers too much discretion in making arrests.



"We are asking someone to predict a result," Condra said, speaking on behalf of Gary Kouns. "We are asking police officers in the start to be clairvoyant."

Officials said 80 people charged in a meth sweep with promoting manufacture were arrested after allegedly buying illegal quantities of pseudoephedrine, not coffee filters.

The law's threshold is buying at least 9 grams of pseudoephedrine decongestant - four boxes of 10 tablets that each contain 240 milligrams - or other methamphetamine precursor. Possession of more than 20 grams is considered evidence of intent to violate the law.

Condra did not challenge investigators using pharmacy records to get information on the purchases.

Preston Shipp, an assistant Tennessee attorney general, said in a court filing that there is "no possibility of conviction of an innocent person who purchases, as the defendant suggests, two packages of coffee filters, with neither knowledge that it will be used to produce methamphetamine nor reckless disregard of its intended use."

District Attorney Mike Taylor said questions about the law could possibly delay other similar pending cases.

POSTED BY KAYABOY AT 5:13:00 PM 

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