

IC 35-43-8

Chapter 8. Timber Spiking

IC 35-43-8-1

"Timber" defined

Sec. 1. As used in this chapter, "timber" includes standing or felled trees and logs that can be used for any of the following:

- (1) Sawing or processing into lumber for building or structural purposes.
- (2) Posts, poles, bolts, pulpwood, or cordwood.
- (3) The manufacture of wood products.

As added by P.L.139-1992, SEC.1.

IC 35-43-8-2

Criminal offense; punishment

Sec. 2. A person who recklessly, knowingly, or intentionally, without claim or right or consent of the owner, drives, places, or fastens in timber a device of metal, ceramic, or other substance sufficiently hard to damage equipment used in the processing of timber into wood products, with the intent to hinder the felling, logging, or processing of timber, is guilty of a crime and may be sentenced under this chapter.

As added by P.L.139-1992, SEC.1.

IC 35-43-8-3

Penalties; attorney's fees and restitution

Sec. 3. (a) A person who violates section 2 of this chapter commits a Class C felony if the violation causes bodily injury to another person.

(b) A person who violates section 2 of this chapter commits a Class D felony if the violation does not cause bodily injury to another person.

(c) In addition to a penalty imposed under subsection (a) or (b), the court may order a person convicted of violating section 2 of this chapter to pay attorney's fees and restitution to the owner of property damaged because of the action of the person.

As added by P.L.139-1992, SEC.1.

IC 35-43-8-4

Infractions

Sec. 4. A person commits a Class A infraction who:

- (1) possesses a device of metal, ceramic, or other substance commonly used to damage saws, wood processing, manufacturing, or transportation equipment with the intent to use the device to hinder the logging or the processing of timber; or
- (2) possesses a chemical or biological substance, mechanical equipment, or a tool with the intent to use the substance, equipment, or tool or permit the use of the substance, equipment, or tool to damage timber processing, manufacturing,

or transportation equipment.
As added by P.L.139-1992, SEC.1.