

## **JOHN CARROLL UNIVERSITY'S DRUG-FREE SCHOOLS AND COMMUNITIES ACT AND DRUG-FREE WORKPLACE ACT NOTIFICATION**

Consistent with its mission and tradition, John Carroll University is committed to implementing a drug- and alcohol-free program that strives to maintain a lawful working and learning environment and to promote the health and safety of all its students, staff, and faculty. This program is designed to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its premises or as any part of a University-sponsored activity. In compliance with the Drug-Free Schools and Communities Act of 1989 and the Drug-Free Workplace Act of 1988, the information provided in this notice is designed to ensure that all members of the John Carroll community are aware of the following: the University's alcohol and drug policies; health risks associated with drug and alcohol use and abuse; available resources to all students, staff, and faculty; and applicable federal, state, and local laws.

### **I. STANDARDS OF CONDUCT**

In accordance with federal, state, and local laws, the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and/or illegal use of alcohol by any student, faculty, or staff member on John Carroll University's premises or at a University-sponsored activity is strictly prohibited. Additionally, John Carroll University has implemented drug and alcohol policies that it will enforce. Students should familiarize themselves with the University's Drug and Alcohol Policies below, and as set forth in the Student Handbook. Employees should familiarize themselves with the University's Drug and Alcohol Abuse Prevention Policy below, and as included in the Human Resources Policies on John Carroll University's website.

#### **A. FOR STUDENTS:**

##### **Drug Policy:**

##### **Illegal and Prescription Drugs:**

The University prohibits the illegal use, possession, sale, distribution, manufacture, and/or growth of illegal, synthetic, or counterfeit drugs on University premises (including University property located off campus), or at any University-sponsored event or program (including study abroad and immersion experiences) regardless of where it takes place. Association with (including the presence at) gatherings involving such use, possession, sale, distribution, manufacture or growth is also prohibited. Possession or use of equipment, products, or materials that are used or are reasonably anticipated to be used in the manufacture, growth, distribution, sale, or use of illegal, synthetic, or counterfeit drugs or in the misuse, sale or distribution of prescription drugs is prohibited. Examples of equipment, products, and materials include but are not limited to bongs (purchased or home-made), pipes, rolling papers, vaporizers, scales, and grinders. The misuse of prescription and over-the-counter drugs is prohibited. This includes sharing a prescription with unauthorized persons; selling a whole or partial prescription to unauthorized persons; intentionally combining a

prescription with other substances; possessing/using a prescription drug not prescribed to you; and intentionally exceeding the prescribed dosage of a drug.

Students found responsible through the student conduct process for the sale, distribution, manufacture, and/or growth of illegal, synthetic, and/or counterfeit drugs should expect to be suspended or expelled from the university. This also applies to students found responsible for the sale and/or distribution of prescription drugs.

Students should be aware of the penalties for drug violations. The federal and state penalties for drug violations are set out later in this notice. Students who are criminally convicted of drug offenses may lose federal or state financial aid. Students who lose aid due to drug violations can contact John Carroll University's Financial Aid Office at (216) 397-4248 to be provided with written notice describing the ways in which the student can regain eligibility.

### **Medical Marijuana:**

House Bill 523 was signed into Ohio law in May 2016 and provides a process for the use of medical marijuana in the State of Ohio. However, the passage of this law does not lessen John Carroll University's obligation to uphold the federal law, which classifies marijuana as a Schedule 1 Controlled Substance. Federal law prohibits the use of medical marijuana in any form, including but not limited to smoking, tinctures, topicals, edibles and oils, on John Carroll University's campus or at University-sponsored events. John Carroll University is subject to the federal Drug-Free Schools and Communities Act Amendments, a federal law which mandates campus communities be free of controlled substances, including marijuana. Therefore, John Carroll University observes and adopts the federal standard, and use, possession, manufacture, cultivation, dissemination or being under the influence of medical marijuana on University property or at University-related activities is prohibited. Possessing or distributing drug paraphernalia is also prohibited whether or not the medical marijuana or paraphernalia was used on-campus, regardless of a medical permit.

### **Alcoholic Beverage Policy:**

The primary educational focus of the University is to create a safe and lawful environment that fosters learning. Therefore, the University is committed to establishing a comprehensive program to prevent high-risk drinking behaviors as well as prevent the unlawful use, possession or distribution of alcoholic beverages. The University will work to provide an environment that supports those who choose not to drink as well as those of legal age who choose to consume alcohol responsibly.

The University expects students to recognize their personal responsibility in contributing to this learning and living environment by considering the impact of their decisions regarding their use of alcohol on themselves as well as the community. Behavior that infringes on the physical and emotional well-being of

oneself or others and/or their pursuit of scholarship is unacceptable. The University prohibits underage drinking, and considers intoxication (identified by slurred speech, erratic behavior, or difficulty with physical coordination), disorderliness, and/or offensive behavior deriving from the use of alcoholic beverages to be unacceptable, regardless of the person's age. Intoxication or alcohol abuse will not be accepted as an excuse for unlawful behavior or misconduct.

Persons under the age of 21 are not permitted to consume or possess alcoholic beverages under any circumstances regardless of location and may not be in the presence of those consuming or possessing alcohol in University-assigned residence halls regardless of age. (See Residence Life Policies- <http://sites.jcu.edu/deanofstudents/pages/community-standards/residence-life-2> - for more detailed expectations regarding alcohol). Students are responsible for the activity that occurs in their residence hall room, suite, or house, whether on or off campus. Therefore, students may not provide their residence as a place for those under 21 to consume alcoholic beverages, either intentionally or recklessly (leaving residence unsecured, not monitoring guests). Students are responsible for any activity that occurs in their residence, whether on or off campus.

Drinking and the carrying of open containers in public areas on University premises are not permitted, regardless of age (unless specifically authorized in designated areas for special events). The sale, manufacture, or purchase of any alcoholic beverage on University premises is prohibited. Drivers or passengers in University vehicles and University-sponsored vehicles may not possess or consume alcoholic beverages.

Student safety and drinking responsibly are the University's main priorities with regard to the legal consumption of alcohol. Therefore, we expect students of legal drinking age to set a positive example for all minors by discouraging alcohol-related behavior that is abusive to oneself or to others. Resident students and their guests who are 21 years of age or older may consume moderate amounts of alcohol in University residences in the privacy of their rooms with the door closed and in a manner that recognizes the rights of others. (See Residence Life Policies <http://sites.jcu.edu/deanofstudents/pages/community-standards/residence-life-2> for more detailed expectations regarding the use of alcohol).

The University reserves the right to take disciplinary action against any student for off-campus behavior that violates this policy. This includes study abroad and immersion experiences. Students found responsible for first and second time violations of this policy through the conduct process will be assigned disciplinary actions that include a combination of the following: a disciplinary status such as University Warning, Community Probation, or University Probation; an educational program; a reflection exercise; community work hours; fines up to two hundred and fifty dollars (\$250.00); coach notification if applicable;

parent/guardian notification; and mentoring. (Go to <http://sites.jcu.edu/deanofstudents/pages/student-conduct/minimum-disciplinary-actions/> for a specific list of actions associated with alcohol violations).

Also, Student Affairs has established requirements for University social events with alcohol. Those requirements are available at <http://sites.jcu.edu/deanofstudents/pages/community-standards/alcoholic-beverage-policy/>.

## **B. FOR EMPLOYEES:**

### **Drug-Free Workplace Policy:**

The policy of John Carroll University is to take affirmative steps to maintain an environment free from drug and alcohol impairment and substance abuse.

Consistent with the University's mission and applicable laws, this Drug-Free Workplace policy is designed to maintain a professional environment and promote the health and safety of all its employees.

In accordance with the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act of 1989, the University prohibits the unlawful manufacture, distribution, dispensation, possession, sale, or use of illicit drugs or alcohol in the workplace, on University premises, or as part of any University activities on or off campus.

All employees, contractors and volunteers are expected to abide by this policy and all other standards of University conduct as a condition of employment, volunteering or performing services on behalf of the University.

The legal drinking age in Ohio is 21 years old, and knowingly furnishing alcohol to a person under the age of 21 is prohibited by state law and this policy. Employees, contractors and volunteers of legal drinking age shall not furnish alcohol to any person, student or employee under the age of 21.

Employees, contractors and volunteers of legal drinking age are not permitted to consume alcohol at any time while working unless attending a University sponsored event or activity. When attending a University sponsored event or activity, individuals who elect to consume alcohol are expected to do so in a mature and responsible manner.

The University prohibits the use of prescribed or illegal drugs and/or the consumption of alcohol by any employee, contractor or volunteer when consumption impairs the individual's University-related job duties, adversely affects job performance, and/or endangers the physical well-being of any other person. This includes the operation of vehicles, machinery and equipment. No employee, contractor or volunteer of the University may report to or engage in University-related work while impaired by drugs or alcohol.

Employees violating this policy will be disciplined, up to and including termination of employment, in a manner consistent with the University's Corrective Action Policy. Employees also may be referred to suitable education, treatment counseling, or treatment resources. When warranted, corrective action may include the requirement of successful completion of a rehabilitation program. Persons who violate this policy also may be subject to criminal sanctions including citations, arrest and prosecution under federal, state, or local law.

The University encourages employees to voluntarily seek help with drug and alcohol problems. The University encourages the earliest possible diagnosis and treatment of drug and/or alcohol abuse. Early recognition and treatment of drug or alcohol abuse are important for successful rehabilitation, helping to minimize lost work time and reduce workplace, personal, and family disruption. Although the decision to seek diagnosis and accept treatment for drug and alcohol abuse is solely the individual employee's responsibility, the University will seek to assist employees in providing referral to resources for drug or alcohol abuse. Treatment for alcohol and/or other drug use disorders may be covered by the employee's benefits plan. However, the ultimate financial responsibility for recommended treatment or rehabilitation services belongs to the employee.

The University encourages employees to seek assistance in dealing with their own substance abuse problems or problems of a family member by directly contacting the Human Resources Department, or the University Employee Assistance Program (EAP). No employee will be terminated solely as a result of seeking treatment and rehabilitation services for drug or alcohol abuse.

In order to comply with the Drug-Free Workplace Act, the University requires all employees to notify the Human Resources Department of any conviction of a criminal drug statute involving either a workplace violation or a non-workplace violation within five (5) business days after such a conviction. The University will notify the appropriate federal contracting agency within ten (10) business days after receiving notice of a conviction of a criminal drug statute involving a workplace violation by any employee working under a federal contract or grant.

## **II. HEALTH RISKS OF ILLICIT DRUGS AND ALCOHOL**

The U.S. Department of Education has provided the attached chart (Appendix A – Controlled Substances – Uses and Effects) – summarizing the health risks associated with certain illicit drugs and alcohol. See **Appendix A – Controlled Substances – Uses and Effects**.

## **III. ALCOHOL AND DRUG EDUCATION AND TREATMENT SERVICES FOR EMPLOYEES AND STUDENTS**

John Carroll University has great concern for anyone struggling with alcohol or illicit drug abuse.

### **For Employees:**

For employees, Human Resources and the University's Employee Assistance Program can provide assistance with drug or alcohol abuse issues.

Human Resources	(216) 397-1905
Employee Assistance Program	(800) 227-6007

### **For Students:**

For students, campus resources at John Carroll University's Student Health and Wellness Center and Counseling Center are available to provide substance abuse counseling and referral assistance to students who are facing problems associated with drug and alcohol abuse.

The following University offices are resources for students who are concerned about their own alcohol or drug use or that of their peers:

Student Health and Wellness Center Murphy Hall, Lower Level	(216) 397-4349
Counseling Center 2567 South Belvoir Boulevard	(216) 397-4283
Dean of Students Lombardo Student Center, Rm. 207A	(216) 397-3010
University Police (emergency situations) Rec Complex, Rm. 14	(216) 397-1234

These centers offer a range of programs, services, and resources to educate students about the risks associated with alcohol and drug use and abuse. Examples of such programs are as follows:

**AlcoholEdu for College:** As an online alcohol prevention program, AlcoholEdu is designed to set forth a personalized approach, impacting both individual behavior and campus culture. Today, it is used on hundreds of campuses and by an estimated 36% of all first-year students attending one of America's four-year higher education institutions. It produces the largest database on college students and alcohol consumption. All first-year students at John Carroll University are required to complete Alcohol Edu. Failure to comply will result in violation of the University Alcohol Policy and a \$100 fine.

**Drug Education Consultation:** These are one-on-one appointments for those referred and/or sanctioned through the Office of the Dean of Students. Students are required to complete an assessment regarding their own alcohol use and meet with the Health Educator or a member of the Counseling Center. All information received during this consultation is private and/or confidential and will be discussed in a judgment-free environment.

**Educational Programs throughout the school year:** These are group presentations for those referred and/or sanctioned through the Office of the Dean of Students. Students are required to attend a presentation concerning the presence of alcohol or community membership at John Carroll University.

**Streak Responsibly:** As a campaign dedicated to providing factual information about the alcohol use of John Carroll University's students, it is desired to dispel myths about drinking and reiterate valid statistics. The campaign aims to infuse the campus community with positive messaging about alcohol use and the maintenance of safety at John Carroll University.

**21<sup>st</sup> Birthday Cards:** Cards are sent to all John Carroll University students celebrating their 21<sup>st</sup> birthday as a reminder to celebrate responsibly. In addition, a letter is sent to the parent/guardian of the student, encouraging a discussion with their student about the dangers of drinking.

#### **IV. FEDERAL AND STATE PENALTIES**

##### **A. FEDERAL LAW**

Federal law forbids the illegal possession of controlled substances. For more information regarding these federal penalties, see the chart attached as **Appendix B - Federal Penalties for Drug Violations**. Depending on the number of previous offenses, a person federally convicted of illegal possession of a controlled substance is subject to imprisonment, fine, forfeiture of property, or all of the above. In addition to these sanctions, punishments may include forfeiture of any conveyance used to transport or conceal a controlled substance, denial of federal benefits for at least one year, ineligibility to receive or purchase a firearm, and a civil penalty up to \$10,000.00. Federal law also forbids the illegal trafficking or manufacturing of a controlled substance. Penalties differ based upon circumstance and number of previous offenses, but may be enhanced by as much as three times if such offenses are committed at or near a public or private school, a college or university, or the drugs were sold to persons under the age of 21. A trafficking offense committed after two previous drug trafficking offenses results in a mandatory life imprisonment. In addition, the violator's federal benefits (including school loans) may be terminated for a period of up to 5 years for a first offense, up to 10 years for a second offense, and for life for a third or subsequent offense.

##### **B. STATE LAW**

Ohio law includes criminal provisions regarding the unlawful possession, use, and distribution of drugs and intoxicating alcohols. Ohio law also prohibits the illegal sale, possession, cultivation, manufacture, or trafficking of controlled substances; furnishing to, administering to, inducing or causing use of these substances by a juvenile at least two years younger than the offender; causing

juveniles to commit a drug abuse offense when the offender knows the juvenile's age or is reckless in that regard; administering these substances to any person by force, threat or deception; administering or furnishing these substances by any means with the intent to cause serious harm or if serious harm results, or to cause the other person to become drug dependent; selling or trafficking controlled substances; or illegally assembling or possessing chemicals with the intent to manufacture a controlled substance. Additionally, Ohio law prohibits a person from knowingly providing money or other items of value to another person who then uses such monies to obtain a controlled substance for the purpose of selling, manufacturing, or cultivating the controlled substance.

Further, the law additionally prohibits the use of one's premises or vehicle to be used in commission of a felony drug abuse offense and prohibits the knowing use, possession with purpose to use, advertisement, and/or sale of drug paraphernalia.

Under Ohio law, a drug-related conviction may lead to imprisonment, fine, or both. The maximum prison term for a conviction is 10 years, and the fines can broadly range from \$1,000.00 to \$5,000.00. Some convictions mandate additional penalties, including suspension of driver's or commercial driver's license for a period ranging from six months to five years.

For intoxicating alcohols, Ohio law provides that a person under 21 years of age who orders, pays for, attempts to purchase, possesses, consumes, or furnishes false information in order to effect a purchase commits a misdemeanor. A person using a false or altered identification card to purchase beer or intoxicating liquors commits a misdemeanor and is potentially subject to imprisonment, fine, or both. A person manufacturing, selling, or distributing false or altered identification cards commits a felony.

For more information regarding these state penalties, see the chart attached as **Appendix C – Ohio Drug Offense Quick Reference Guide.**

### **C. LOCAL LAW**

Local laws of the City of University Heights, Ohio enforce all state and federal criminal penalties as cited above. In addition, local law provides for specific sanctions for alcohol and other drug use, including prohibitions against: driving under the influence of drugs, underage possession and consumption, open containers of alcohol in public places, using false representations while purchasing drugs or alcohol, and permitting consumption by underage persons. Penalties for violation of these local laws can include fines, imprisonment, or both.

Violation of all of these federal, state, and local laws are also in violation of John Carroll University's policies and could result in civil liability. The information as provided above is a general summary of the major applicable laws. While it is



believed to be accurate at the time of this notice's issuance, these laws are frequently updated, amended, and reinterpreted so that the application of these laws generally require analysis of all facts and circumstances. If there are any questions about a potential legal penalty or sanction, please be advised to seek immediate legal advice and counsel.

# **DRUGS OF ABUSE/Uses and Effects** U.S. Department of Justice, Drug Enforcement Administration

Drug/ CSA Schedules	Trade or Other Names	Medical Uses	Physical Dependence	Psychological Dependence	Tolerance	Duration (hours)	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Syndrome
<b>Barbiturates</b>										
Heroin Substance I	Diamorphine, Horse, Smack, Black m., China, <i>Negra (black tar)</i>	None in U.S., Analgesic, Antitussive	High	High	Yes	3-4	Injected, snorted, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphine Substance II	MS-Contin, Roxanol, Oramorph SR, MSIR	Analgesic	High	High	Yes	3-12	Oral, injected			
Hydrocodone Substance II, Product III, V	Hydrocodone w/ Acetaminophen, Vicodin, Vicoprofen, Tussionex, Lortab	Analgesic, Antitussive	High	High	Yes	3-6	Oral			
Hydro-morphone Substance II	Dilaudid	Analgesic	High	High	Yes	3-4	Oral, injected			
Oxycodone Substance II	Roxicet, Oxycodone w/ Acetaminophen, OxyContin, Endocet, Percocet, Percodan	Analgesic	High	High	Yes	3-12	Oral			
Codone Substance II, Products III, V	Acetaminophen, Guafenesin or Promethazine w/Codone, Floral, Fioricet or Tylenol w/Codone	Analgesic, Antitussive	Moderate	Moderate	Yes	3-4	Oral, injected			
Other Narcotics Substance II, III, IV	Fentanyl, Demerol, Meperidone, Darvon, Stadol, Talwin, Paregoric, Buprenex	Analgesic, Antidiarrheal, Antitussive	High-Low	High-Low	Yes	Variable	Oral, injected, snorted, smoked			
<b>Depressants</b>										
<i>gamma</i> Hydroxybutyric Acid Substance I, Product III	GHB, Liquid Ecstasy, Liquid X, Sodium Oxybate, Xyrem®	None in U.S., Anesthetic	Moderate	Moderate	Yes	3-6	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol, impaired memory of events, interacts with alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Benzodiazepines Substance IV	Valium, Xanax, Halcion, Ativan, Restoril, Rohypnol (Roofies, R- 2), Klonopin	Antianxiety, Sedative, Anti- convulsant, Hypnotic, Muscle Relaxant	Moderate	Moderate	Yes	1-8	Oral, injected			
Other Depressants Substance I, II, III, IV	Ambien, Sonata, Meperbamate, Chloral Hydrate, Barbiturates, Methaqualone (Quaalude)	Antianxiety, Sedative, Hypnotic	Moderate	Moderate	Yes	2-6	Oral			
<b>Stimulants</b>										
Cocaine Substance II	Coke, Flake, Snow, Crack, Coca, <i>Blanca, Perico, Mieve, Soda</i>	Local anesthetic	Possible	High	Yes	1-2	Snorted, smoked, injected	Increased alertness, excitation, euphoria, increased pulse rate & blood pressure, insomnia, loss of appetite	Agitation, increased body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamine/ Meth-amphetamine Substance II	Crank, Ice, Cristal, Krystal Meth, Speed, Adderall, Dexedrine, Desoxyn	Attention deficit/ hyperactivity disorder, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected, smoked			
Methylphenidate Substance II	Ritalin (illy's), Concerta, Focalin, Metadate	Attention deficit/ hyperactivity disorder	Possible	High	Yes	2-4	Oral, injected, snorted, smoked			
Other Stimulants Substance III, IV	Adipex P, Ionomin, Prelu-2, Difrex, Provigil	Vaso-constriction	Possible	Moderate	Yes	2-4	Oral			



Drugs/ CSA Schedules	Trade or Other Names	Medical Uses	Physical Dependence	Psychological Dependence	Tolerance	Duration (Hours)	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Syndrome
<b>Hallucinogens</b>										
MDMA and Analogs Substance I	(Ecstasy, XTC, Adam), MDA (Love Drug), MDEA (Eve), MBDB	None	None	Moderate	Yes	4-6	Oral, snorted, smoked	Heightened senses, teeth grinding and dehydration	Increased body temperature, electrolyte imbalance, cardiac arrest	Muscle aches, drowsiness, depression, acne
LSD Substance I	Acid, Microdot, Sunshine, Boomers	None	None	Unknown	Yes	8-12	Oral	Illusions and hallucinations, altered perception of time and distance	(LSD) Longer, more intense "trip" episodes	None
Phencyclidine and Analogs Substance I, II, III	PCP, Angel Dust, Hog, Loveboat, Ketamine (Special K), PCE, PCPy, TCP	Anesthetic (Ketamine)	Possible	High	Yes	1-12	Smoked, oral, injected, snorted	of time and distance	Unable to direct movement, feel pain, or remember	Drug seeking behavior *Not regulated
Other Hallucinogens Substance I	Psilocybe mushrooms, Mescaline, Peyote Cactus, Ayahuasca, DMT, Dextro-methorphan* (DXM)	None	None	None	Possible	4-8	Oral			
<b>Cannabis</b>										
Marijuana Substance I	Pot, Grass, Sinsemilla, Blunts, <i>Mota, Yerba, Grifa</i>	None	Unknown	Moderate	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions,	Fatigue, paranoia, possible psychosis	Occasional reports of insomnia, hyperactivity, decreased appetite
Tetrahydrocannabinol Substance I, Product III	THC, Marinol	Anitnauseant, Appetite stimulant	Yes	Moderate	Yes	2-4	Smoked, oral	increased appetite, disorientation		
Hashish and Hashish Oil/Substance I	Hash, Hash oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral			
<b>Anabolic Steroids</b>										
Testosterone Substance III	Depo Testosterone, Sustanon, Sten, Cypot	Hypogonadism	Unknown	Unknown	Unknown	14-28 days	Injected	Virilization, edema, testicular atrophy, gyneco- mastia, acne, aggressive behavior	Unknown	Possible depression
Other Anabolic Steroids Substance III	Parabolan, Winstrol, Equipoise, Anadrol, Dianabol, Primabolin- Depo, D-Ball	Anemia, Breast cancer	Unknown	Yes	Unknown	Variable	Oral, injected			
<b>Inhalants</b>										
Amyl and Butyl Nitrite	Pearls, Poppers, Rush, Locker Room	Angina (Amyl)	Unknown	Unknown	No	1	Inhaled	Flushing, hypotension, headache	Methemo- globinemia	Agitation
Nitrous Oxide	Laughing gas, balloons, Whippets	Anesthetic	Unknown	Low	No	0.5	Inhaled	Impaired memory, slurred speech,	Vomiting, respiratory depression, loss of consciousness,	Trembling, anxiety, insomnia, vitamin deficiency, confusion,
Other Inhalants	Adhesives, spray paint, hair spray, dry cleaning fluid, spot remover, lighter fluid	None	Unknown	High	No	0.5-2	Inhaled	drunken behavior, slow onset vitamin deficiency, organ damage	possible death	
Alcohol	Beer, wine, liquor	None	High	High	Yes	1-3	Oral			hallucinations, convulsions

Chart from *Drugs of Abuse*, 2005 ed., US Department of Justice, Drug Enforcement Administration



## Appendix B

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)					
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty	
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an Individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.	
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture		
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture		
I	Fentanyl Analogue 10-99 grams mixture			Fentanyl Analogue 100 grams or more mixture	<b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
I	Heroin 100-999 grams mixture			Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture			LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture			Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture		
Substance/Quantity		Penalty			
Any Amount Of Other Schedule I & II Substances		<b>First Offense:</b> Not more that 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.			
Any Drug Product Containing Gamma Hydroxybutyric Acid		<b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.			
Flunitrazepam (Schedule IV) 1 Gram					
Any Amount Of Other Schedule III Drugs		<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million If an individual, \$5 million if not an Individual.			
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million If other than an individual.			
Any Amount Of All Schedule V Drugs		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.			

**Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances**

<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p><b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p><b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
<p>Hashish More than 10 kilograms</p>	
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)</p> <p>1 to 49 marijuana plants</p>	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	



OHIO

CRIMINAL SENTENCING COMMISSION

Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

## DRUG OFFENSE QUICK REFERENCE GUIDE

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DRUG TRAFFICKING - O.R.C. §2925.03							
DRUG	AMOUNT	LEVEL: S or J		DIVISION: S or J		GUIDANCE: S or J	
Schedule I or II*	< bulk	F-4	F-3	C(1)(a)	C(1)(b)	Div. C	Div. C
	≥ bulk → <5 x bulk	F-3	F-2	C(1)(c)	C(1)(c)	In Favor*	Mand.
	≥ 5 → <50 x bulk	F-2	F-1	C(1)(d)	C(1)(d)	Mand.	Mand.
	≥50 → <100 x bulk	F-1	F-1	C(1)(e)	C(1)(e)	Mand.	Mand.
	≥ 100 x bulk	F-1	F-1	C(1)(f)	C(1)(f)	MDO	MDO
Schedule III, IV, V*	< bulk	F-5	F-4	C(2)(a)	C(2)(b)	Div. B	Div. C
	≥ bulk → <5 x bulk	F-4	F-3	C(2)(c)	C(2)(c)	Div. B	In Favor
	≥ 5 → <50 x bulk	F-3	F-2	C(2)(d)	C(2)(d)	In Favor	In Favor
	≥ 50 x bulk	F-2	F-1	C(2)(e)	C(2)(e)	Mand.	Mand.
Marijuana	Gift ≤ 20 g	MM^	M-3	C(3)(h)	C(3)(h)	None	None
	< 200 g	F-5	F-4	C(3)(a)	C(3)(b)	Div. B	Div. B
	≥ 200 g → < 1 kg	F-4	F-3	C(3)(c)	C(3)(c)	Div. B	Div. C
	≥ 1 kg → < 5 kg	F-3	F-2	C(3)(d)	C(3)(d)	Div. C	In Favor
	≥ 5 kg → < 20 kg	F-3	F-2	C(3)(e)	C(3)(e)	In Favor	In Favor
	≥ 20 kg → < 40 kg	F-2	F-1	C(3)(f)	C(3)(f)	Mand. 5, 6, 7, 8 yrs	Mand. F-1 max.
	≥ 40 kg	F-2	F-1	C(3)(g)	C(3)(g)	Mand. F-2 max	Mand. F-1 max
Cocaine: Powder or Crack	< 5g	F-5	F-4	C(4)(a)	C(4)(b)	Div. B	Div. C
	≥ 5 g → < 10 g	F-4	F-3	C(4)(c)	C(4)(c)	Div. B	In Favor
	≥ 10 g → < 20 g	F-3	F-2	C(4)(d)	C(4)(d)	In Favor*	Mand.
	≥ 20 g → < 27 g	F-2	F-1	C(4)(e)	C(4)(e)	Mand.	Mand.
	≥ 27 g → < 100 g	F-1	F-1	C(4)(f)	C(4)(f)	Mand.	Mand.
LSD: Solid	≥ 100 g	F-1	F-1	C(4)(g)	C(4)(g)	MDO	MDO
	< 10 UD	F-5	F-4	C(5)(a)	C(5)(b)	Div. B	Div. C
	≥ 10 UD → < 50 UD	F-4	F-3	C(5)(c)	C(5)(c)	Div. B	In Favor
	≥ 50 UD → < 250 UD	F-3	F-2	C(5)(d)	C(5)(d)	In Favor*	Mand.
	≥ 250 UD → < 1000 UD	F-2	F-1	C(5)(e)	C(5)(e)	Mand.	Mand.
	≥ 1000 UD → < 5000 UD	F-1	F-1	C(5)(f)	C(5)(f)	Mand.	Mand.
LSD: Liquid	≥ 5000 UD	F-1	F-1	C(5)(g)	C(5)(g)	MDO	MDO
	< 1 g	F-5	F-4	C(5)(a)	C(5)(b)	Div. B	Div. C
	≥ 1 g → < 5 g	F-4	F-3	C(5)(c)	C(5)(c)	Div. B	In Favor
	≥ 5 g → < 25 g	F-3	F-2	C(5)(d)	C(5)(d)	In Favor*	Mand.
	≥ 25 g → < 100 g	F-2	F-1	C(5)(e)	C(5)(e)	Mand.	Mand.
	≥ 100 g → < 500 g	F-1	F-1	C(5)(f)	C(5)(f)	Mand.	Mand.
	≥ 500 g	F-1	F-1	C(5)(g)	C(5)(g)	MDO	MDO

\* The schedule of controlled substances is in [§3719.41].

^ Minor misdemeanor (MM) on first offense, M-3 on a subsequent offense.

S or J = The offense occurred in the vicinity of a school or juvenile.

MDO (Major Drug Offender) = Mandatory maximum term from F-1 range, [§2929.14(A)(1)].

Mand., or Mandatory = Judge must impose a prison term from range available for that offense level.

In Favor = A rebuttable presumption in favor of imposing a prison term.

Div. B = Sentencing is guided by [§2929.13(B)], the rules for F-4s and F-5s.

Div. C = Sentencing is guided by [§2929.13(C)].

In Favor\* = Presumption in favor, but mandatory if 2 or more prior felony drug-abuse offenses.

Note: As used in this section, "drug" includes any substance that is represented to be a drug.

ADDITIONAL FOOTNOTES FOR  
DRUG MANUFACTURING AND CULTIVATION

† F-5 if the offender previously has been convicted of a drug-abuse offense.

In Favor\*\* = Presumption in favor, but mandatory 2- or 5-year minimum if 2 or more priors.

♦ Minimum prison term of 3 years for first offense, 5 years for second offense.

♣ If violation involves the sale or possession of such and court finds MDO, then mandatory max from range.

∞ Minimum prison term of 4 years for first offense, 5 years for second offense. Includes "public premises."



DRUG TRAFFICKING - CONT.; O.R.C. §2925.03							
DRUG	AMOUNT	LEVEL: S or J		DIVISION: S or J		GUIDANCE: S or J	
Heroin	< 1 g; < 10 UD	F-5	F-4	C(6)(a)	C(6)(b)	Div. B	Div. C
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	F-3	C(6)(c)	C(6)(c)	Div. B	In Favor
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	F-2	C(6)(d)	C(6)(d)	In Favor	In Favor
	≥ 10 g → < 50 g; ≥ 100 UD → < 500 UD	F-2	F-1	C(6)(e)	C(6)(e)	Mand.	Mand.
	≥ 50 g → < 250 g; ≥ 500 UD → < 2500 UD	F-1	F-1	C(6)(f)	C(6)(f)	Mand.	Mand.
	≥ 250 g; ≥ 2500 UD	F-1	F-1	C(6)(g)	C(6)(g)	MDO	MDO
Hashish: Solid	< 10 g	F-5	F-4	C(7)(a)	C(7)(b)	Div. B	Div. B
	≥ 10 g → < 50 g	F-4	F-3	C(7)(c)	C(7)(c)	Div. B	Div. C
	≥ 50 g → < 250 g	F-3	F-2	C(7)(d)	C(7)(d)	Div. C	In Favor
	≥ 250 g → < 1 kg	F-3	F-2	C(7)(e)	C(7)(e)	In Favor	In Favor
	≥ 1 kg - < 2 kg	F-2	F-1	C(7)(f)	C(7)(f)	Mand 5, 6, 7, or 8	Mand. F-1 max.
	≥ 2 kg	F-2	F-1	C(7)(g)	C(7)(g)	Mand. F-2 max.	Mand. F-1 max.
Hashish: Liquid	< 2 g	F-5	F-4	C(7)(a)	C(7)(b)	Div. B	Div. B
	≥ 2 g → < 10 g	F-4	F-3	C(7)(c)	C(7)(c)	Div. B	Div. C
	≥ 10 g → < 50 g	F-3	F-2	C(7)(d)	C(7)(d)	Div. C	In Favor
	≥ 50 g → < 200 g	F-3	F-2	C(7)(e)	C(7)(e)	In Favor	In Favor
	≥ 200 g - < 400 g	F-2	F-1	C(7)(f)	C(7)(f)	Mand 5, 6, 7, or 8	Mand. F-1 max.
	≥ 400 g	F-2	F-1	C(7)(g)	C(7)(g)	Mand. F-2 max.	Mand. F-1 max.
Controlled Substance Analog	< 10g	F-5	F-4	C(8)(a)	C(8)(b)	Div. C	Div. C
	≥ 10 g → < 20 g	F-4	F-3	C(8)(c)	C(8)(c)	Div. B	In Favor
	≥ 20 g → < 30 g	F-3	F-2	C(8)(d)	C(8)(d)	In Favor	In Favor
	≥ 30 g → < 40 g	F-2	F-1	C(8)(e)	C(8)(e)	Mand.	Mand.
	≥ 40 g → < 50 g	F-1	F-1	C(8)(f)	C(8)(f)	Mand.	Mand.
	≥ 50 g	F-1	F-1	C(8)(g)	C(8)(g)	MDO	MDO

DRUG POSSESSION - O.R.C. §2925.11				
DRUG	AMOUNT	LEVEL	DIVISION	GUIDANCE
Schedule I or II*	< bulk	F-5	C(1)(a)	Div. B
	≥ bulk → < 5 x bulk	F-3	C(1)(b)	In Favor
	≥ 5 → < 50 x bulk	F-2	C(1)(c)	Mandatory
	≥ 50 → < 100 x bulk	F-1	C(1)(d)	Mandatory
	≥ 100 x bulk	F-1	C(1)(e)	MDO
Schedule III, IV, V*	< bulk	M-1†	C(2)(a)	None
	≥ bulk → < 5 x bulk	F-4	C(2)(b)	Div. C
	≥ 5 → < 50 x bulk	F-3	C(2)(c)	In Favor
	≥ 50 x bulk	F-2	C(2)(d)	Mandatory
Marijuana	< 100 g	MM	C(3)(a)	None
	≥ 100 g → < 200 g	M-4	C(3)(b)	None
	≥ 200 g → < 1 kg	F-5	C(3)(c)	Div. B
	≥ 1 kg → < 5 kg	F-3	C(3)(d)	Div. C
	≥ 5 kg → < 20 kg	F-3	C(3)(e)	In Favor
	≥ 20 kg → < 40 kg	F-2	C(3)(f)	Mand. 5, 6, 7, or 8 years
	≥ 40 kg	F-2	C(3)(g)	Mandatory F-2 max.
Cocaine: Powder	< 5g	F-5	C(4)(a)	Div. B
	≥ 5 g → < 10 g	F-4	C(4)(b)	Div. B
	≥ 10 g → < 20 g	F-3	C(4)(c)	In Favor
	≥ 20 g → < 27 g	F-2	C(4)(d)	Mandatory
	≥ 27 g → < 100 g	F-1	C(4)(e)	Mandatory
	≥ 100 g	F-1	C(4)(f)	MDO
LSD: Solid	< 10 UD	F-5	C(5)(a)	Div. B
	≥ 10 UD → < 50 UD	F-4	C(5)(b)	Div. C
	≥ 50 UD → < 250 UD	F-3	C(5)(c)	In Favor
	≥ 250 UD → < 1000 UD	F-2	C(5)(d)	Mandatory
	≥ 1000 UD → < 5000 UD	F-1	C(5)(e)	Mandatory
	≥ 5000 UD	F-1	C(5)(f)	MDO
LSD: Liquid	< 1 g	F-5	C(5)(a)	Div. B
	≥ 1 g → < 5 g	F-4	C(5)(b)	Div. C
	≥ 5 g → < 25 g	F-3	C(5)(c)	In Favor
	≥ 25 g → < 100 g	F-2	C(5)(d)	Mandatory
	≥ 100 g → < 500 g	F-1	C(5)(e)	Mandatory
	≥ 500 g	F-1	C(5)(f)	MDO



DRUG POSSESSION - CONT.; O.R.C. §2925.11				
DRUG	AMOUNT	LEVEL	DIVISION	GUIDANCE
Heroin	<1 g; < 10 UD	F-5	C(6)(a)	Div. B
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	C(6)(b)	Div. C
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	C(6)(c)	In Favor
	≥ 10 g → < 50 g; ≥ 100 UD → < 500 UD	F-2	C(6)(d)	Mandatory
	≥ 50 g → < 250 g; ≥ 500 UD → < 2500 UD	F-1	C(6)(e)	Mandatory
	≥ 250 g; ≥ 2500 UD	F-1	C(6)(f)	MDO
Hashish: Solid	< 5 g	MM	C(7)(a)	None
	≥ 5 g → < 10 g	M-4	C(7)(b)	None
	≥ 10 g → < 50 g	F-5	C(7)(c)	Div. B
	≥ 50 g → < 250 g	F-3	C(7)(d)	Div. C
	≥ 250 g → < 1 kg	F-3	C(7)(e)	In Favor
	≥ 1 kg - < 2 kg	F-2	C(7)(f)	Mand. 5, 6, 7, or 8
Hashish: Liquid	≥ 2 kg	F-2	C(7)(g)	Mandatory F-2 max.
	< 1 g	MM	C(7)(a)	None
	≥ 1 g → < 2 g	M-4	C(7)(b)	None
	≥ 2 g → < 10 g	F-5	C(7)(c)	Div. B
	≥ 10 g → < 50 g	F-3	C(7)(d)	Div. C
	≥ 50 g → < 200 g	F-3	C(7)(e)	In Favor
Controlled Substance Analog	≥ 200 g - < 400 g	F-2	C(7)(f)	Mand. 5, 6, 7, or 8
	≥ 400 g	F-2	C(7)(g)	Mandatory F-2 max.
	< 10g	F-5	C(8)(a)	Div. B
	≥ 10 g → < 20 g	F-4	C(8)(b)	In Favor
	≥ 20 g → < 30 g	F-3	C(8)(c)	In Favor
	≥ 30 g → < 40 g	F-2	C(8)(d)	Mandatory
	≥ 40 g → < 50 g	F-1	C(8)(e)	Mandatory
	≥ 50 g	F-1	C(8)(f)	MDO

ASSEMBLY OR POSSESSION OF CHEMICALS - §2925.041				
TO MAKE:	AMOUNT	LEVEL: S or J	DIVISION: S or J	GUIDANCE: S or J
Schedule I or II*	Any	F-3 F-2	(C) (C)	Div. C Div. C
Methamphetamine	Any	F-3 F-2	(C)(1) (C)(2)	In Favor** Mand. 3♦

DRUG MANUFACTURING AND CULTIVATION - O.R.C. §2925.04							
DRUG	AMOUNT	LEVEL: S or J		DIVISION: S or J		GUIDANCE: S or J	
Schedule I or II*	Any	F-2	F-1	C(2)/E	C(2)/E	Mand.	MDO♣
Methamphetamine	Any	F-2 ♦		C(3)/E		Mand. 3♦	MDO♣
			F-1∞		C(3)/E	Mand. 4∞	MDO♣
Schedule III, IV, or V*	Any	F-3	F-2	C(4)	C(4)	In Favor	
Marijuana	< 100 g	MM	M-4	C(5)(a)	C(5)(a)	None	None
	≥ 100g → < 200g	M-4	M-3	C(5)(b)	C(5)(b)	None	None
	≥ 200 g → < 1 kg	F-5	F-4	C(5)(c)	C(5)(c)	Div. B	Div. B
	≥ 1 kg → < 5 kg	F-3	F-2	C(5)(d)	C(5)(d)	Div. C	Div. C
	≥ 5 kg → < 20 kg	F-3	F-2	C(5)(e)	C(5)(e)	In Favor	In Favor
	≥ 20 kg	F-2	F-1	C(5)(f)	C(5)(f)	Mand. 8 years	Mand. F-1 max





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## CRIMINAL SENTENCING COMMISSION

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