



# THE JOHN MARSHALL LAW SCHOOL

TO: All JMLS Students, Faculty and Staff  
FROM: Campus Safety and Security Department  
DATE: August 28, 2014  
RE: Drug-Free Schools and Communities Act

It is the policy of The John Marshall Law School that JMLS is a designated Drug Free Campus and Workplace. Because the possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws, violators are subject to criminal prosecution and JMLS disciplinary actions.

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (PL 101-226), JMLS distributes a notice detailing the laws, risks, and treatments associated with drug and alcohol abuse. The notice is distributed every August to all students and employees. This notice is only one means of communicating this information, so we encourage students to contact any member of the Student Affairs staff for further information or counseling. We encourage employees to contact a representative of the Human Resources department for further information or counseling. You may obtain a copy of this notice by contacting the Campus Safety and Security Department at 312.427.2737 ext 501.

As prescribed by the amendments, the following details the laws, risks, and treatment associated with drug and alcohol abuse.

### Federal Sanctions for Unlawful Possession/Distribution of Illicit Drugs and Alcohol:

<b>Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)</b>				
<b>Schedule</b>	<b>Substance/Quantity</b>	<b>Penalty</b>	<b>Substance/Quantity</b>	<b>Penalty</b>
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	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. <b>Second Offense:</b> Not less than 20 yrs, and
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	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more	



# THE JOHN MARSHALL LAW SCHOOL

II	Methamphetamine 5-49 grams pure or 50-499 grams mixture	not an individual.	Methamphetamine 50 grams or more pure or 500 grams	not an individual. <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or	
<b>Substance/Quantity</b>				
Any Amount Of Other Schedule I & II Substances		<b>Penalty</b>		
Any Drug Product Containing Gamma Hvdroxvbutvric Acid		<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 not an individual.		
Flunitrazepam (Schedule IV) 1 Gram		<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.		
Any Amount Of Other Schedule III Drugs		<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 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,		
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, \$1 million if not 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 \$250,000 if an individual, \$500,000 if not an individual.		

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

Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<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.  <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, \$100 million if not an individual.
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# THE JOHN MARSHALL LAW SCHOOL

<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</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>Hashish More than 10 kilograms</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 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><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>	

Excerpted from the Drug Enforcement Administration website, <http://www.justice.gov/dea/druginfo/ftp3.shtml>.

## **Controlled Substance - Illinois Law: Legal Penalties and Sanctions for Unlawful Possession, Use or Distribution**

**720 ILCS 550/4 (from Ch. 56 ½, par. 704) - Unlawful Possession of Cannabis.** It is unlawful for any person knowingly to possess Cannabis (Marijuana). Any person who violates this section with respect to:

- (a) not more than 2.5 grams of any substance containing cannabis is guilty of a Class C misdemeanor;
- (b) more than 2.5 grams but not more than 10 grams of any substance containing cannabis is guilty of a Class B misdemeanor;
- (c) more than 10 grams but not more than 30 grams of any substance containing cannabis is guilty of a Class A misdemeanor; provided, that if any offense under this subsection (c) is a subsequent offense, the offender shall be guilty of a Class 4 felony;
- (d) more than 30 grams but not more than 500 grams of any substance containing cannabis is guilty of a Class 4 felony; provided that if any offense under this subsection (d) is a subsequent offense, the offender shall be guilty of a Class 3 felony;
- (e) more than 500 grams but not more than 2,000 grams of any substance containing cannabis



# THE JOHN MARSHALL LAW SCHOOL

- is guilty of a Class 3 felony;
- (f) more than 2,000 grams but not more than 5,000 grams of any substance containing cannabis is guilty of a Class 2 felony;
- (g) more than 5,000 grams of any substance containing cannabis is guilty of a Class 1 felony.

**720 ILCS 550/5 (from Ch. 56 ½, par. 705) - Manufacture or Delivery of Cannabis.** It is unlawful for any person knowingly to manufacture, deliver, or possess with intent to deliver, or manufacture, cannabis. Any person who violates this section with respect to:

- (a) not more than 2.5 grams of any substance containing cannabis is guilty of a Class B misdemeanor;
- (b) more than 2.5 grams but not more than 10 grams of any substance containing cannabis is guilty of a Class A misdemeanor;
- (c) more than 10 grams but not more than 30 grams of any substance containing cannabis is guilty of a Class 4 felony;
- (d) more than 30 grams but not more than 500 grams of any substance containing cannabis is guilty of a Class 3 felony for which a fine not to exceed \$50,000 may be imposed;
- (e) more than 500 grams but not more than 2,000 grams of any substance containing cannabis is guilty of a Class 2 felony for which a fine not to exceed \$100,000 may be imposed;
- (f) more than 2,000 grams but not more than 5,000 grams of any substance containing cannabis is guilty of a Class 1 felony for which a fine not to exceed \$150,000 may be imposed;
- (g) more than 5,000 grams of any substance containing cannabis is guilty of a Class X felony for which a fine not to exceed \$200,000 may be imposed.

**720 ILCS 550/5.1 (from Ch. 56 ½, par. 705.1) - Cannabis Trafficking.**

(a) Except for purposes authorized by this Act, any person who knowingly brings or causes to be brought into this State for the purpose of manufacture or delivery or with the intent to manufacture or deliver 2,500 grams or more of cannabis in this State or any other state or country is guilty of cannabis trafficking.

(b) A person convicted of cannabis trafficking shall be sentenced to a term of imprisonment not less than twice the minimum term and fined an amount as authorized by subsection (f) or (g) of Section 5 of this Act, based upon the amount of cannabis brought or caused to be brought into this State, and not more than twice the maximum term of imprisonment and fined twice the amount as authorized by subsection (f) or (g) of Section 5 of this Act, based upon the amount of cannabis brought or caused to be brought into this State.

**720 ILCS 550/5.2 (from Ch. 56 ½, par. 705.2) - Delivery of Cannabis on School Grounds.**

(a) Any person who violates subsection (e) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, is guilty of a Class 1 felony, the fine for which shall not exceed \$200,000;

(b) Any person who violates subsection (d) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, is guilty of a Class 2 felony, the fine for which shall not exceed \$100,000;

(c) Any person who violates subsection (c) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or



# THE JOHN MARSHALL LAW SCHOOL

a school related activity, or on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, is guilty of a Class 3 felony, the fine for which shall not exceed \$50,000;

(d) Any person who violates subsection (b) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, is guilty of a Class 4 felony, the fine for which shall not exceed \$25,000;

(e) Any person who violates subsection (a) of Section 5 in any school, on the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, on any public way within 1,000 feet of the real property comprising any school, or any conveyance owned, leased or contracted by a school to transport students to or from school or a school related activity, is guilty of a Class A misdemeanor.

## **720 ILCS 550/6 (from Ch. 56 ½, par. 706) - Delivery of Cannabis.**

Any delivery of cannabis which is a casual delivery shall be treated in all respects as possession of cannabis for purposes of penalties.

## **720 ILCS 550/7 (from Ch. 56 ½, par. 707) - Delivery of Cannabis to a Person Under 18 Years of Age.**

(a) Any person who is at least 18 years of age who violates Section 5 of this Act by delivering cannabis to a person under 18 years of age who is at least 3 years his junior may be sentenced to imprisonment for a term up to twice the maximum term otherwise authorized by Section 5.

(b) Any person under 18 years of age who violates Section 4 or 5 of this Act may be treated by the court in accordance with the Juvenile Court Act of 1987.

## **720 ILCS 550/8 (from Ch. 56 ½, par. 708) – Production or Possession of the Cannabis Sativa Plant.**

It is unlawful for any person knowingly to produce the cannabis sativa plant or to possess such plants unless production or possession has been authorized pursuant to the provisions of Section 11 of the Act. Any person who violates this Section with respect to production or possession of:

(a) Not more than 5 plants is guilty of a Class A misdemeanor.

(b) More than 5, but not more than 20 plants, is guilty of a Class 4 felony. (c)

More than 20, but not more than 50 plants, is guilty of a Class 3 felony.

(d) More than 50, but not more than 200 plants, is guilty of a Class 2 felony for which a fine not to exceed \$100,000 may be imposed and for which liability for the cost of conducting the investigation and eradicating such plants may be assessed. Compensation for expenses incurred in the enforcement of this provision shall be transmitted to and deposited in the treasurer's office at the level of government represented by the Illinois law enforcement agency whose officers or employees conducted the investigation or caused the arrest or arrests leading to the prosecution, to be subsequently made available to that law enforcement agency as expendable receipts for use in the enforcement of laws regulating controlled substances and cannabis. If such seizure was made by a combination of law enforcement personnel representing different levels of



# THE JOHN MARSHALL LAW SCHOOL

government, the court levying the assessment shall determine the allocation of such assessment. The proceeds of assessment awarded to the State treasury shall be deposited in a special fund known as the Drug Traffic Prevention Fund.

(e) More than 200 plants is guilty of a Class 1 felony for which a fine not to exceed \$100,000 may be imposed and for which liability for the cost of conducting the investigation and eradicating such plants may be assessed. Compensation for expenses incurred in the enforcement of this provision shall be transmitted to and deposited in the treasurer's office at the level of government represented by the Illinois law enforcement agency whose officers or employees conducted the investigation or caused the arrest or arrests leading to the prosecution, to be subsequently made available to that law enforcement agency as expendable receipts for use in the enforcement of laws regulating controlled substances and cannabis. If such seizure was made by a combination of law enforcement personnel representing different levels of government, the court levying the assessment shall determine the allocation of such assessment. The proceeds of assessment awarded to the State treasury shall be deposited in a special fund known as the Drug Traffic Prevention Fund.

## **720 ILCS 550/9 (from Ch. 56 ½, par. 709) - Calculated Criminal Cannabis Conspiracy.**

(a) Any person who engages in a calculated criminal cannabis conspiracy, as defined in subsection (b), is guilty of a Class 3 felony, and fined not more than \$200,000 and shall be subject to the forfeitures prescribed in subsection (c); except that, if any person engages in such offense after one or more prior convictions under this Section, Section 4 (d), Section 5 (d), Section 8 (d) or any law of the United States or of any State relating to cannabis, or controlled substances as defined in the Illinois Controlled Substances Act, in addition to the fine and forfeiture authorized above, he shall be guilty of a Class 1 felony for which an offender may not be sentenced to death.

(b) For purposes of this section, a person engages in a calculated criminal cannabis conspiracy when: (1) he violates Section 4 (d), 4 (e), 5 (d), 5 (e), 8 (c) or 8 (d) of this Act; and  
(2) such violation is a part of a conspiracy undertaken or carried on with 2 or more other persons; and  
(3) he obtains anything of value greater than \$500 from, or organizes, directs or finances such violation or conspiracy.

(c) Any person who is convicted under this Section of engaging in a calculated criminal cannabis conspiracy shall forfeit to the State of Illinois:

- (1) the receipts obtained by him in such conspiracy; and
- (2) any of his interests in, claims against, receipts from, or property or rights of any kind affording a source of influence over, such conspiracy.

(d) The circuit court may enter such injunctions, restraining orders, directions, or prohibitions, or take such other actions, including the acceptance of satisfactory performance bonds, in connection with any property, claim, receipt, right or other interest subject to forfeiture under this Section, as it deems proper.

## **720 ILCS 550/10.3 (from Ch. 56 1/2, par. 710.3) - Cannabis Control Act Penalties.**

(a) Every person convicted of a violation of this Act, and every person placed on probation, conditional discharge, supervision or probation under Section 10 of this Act, shall be assessed for each offense a sum fixed at:

- (1) \$3,000 for a Class X felony; (2) \$2,000 for a Class 1 felony; (3) \$1,000 for a Class 2 felony;
- (4) \$500 for a Class 3 or Class 4 felony; (5) \$300 for a Class A misdemeanor;



# THE JOHN MARSHALL LAW SCHOOL

(6) \$200 for a Class B or Class C misdemeanor.

**Ch.56 ½, Sec. 1401 - Manufacture or Delivery of Controlled Substances.** It is unlawful for any person knowingly to manufacture, deliver or possess with intent to manufacture or deliver a controlled substance including but not limited to heroin, cocaine, morphine, barbiturates and LSD. Depending on the amount and type of the drug, a conviction for a violation of this section is a Class 3 felony with a fine up to \$75,000 to a Class X felony punishable by a term of imprisonment from six to sixty years and a fine up to \$500,000.

**Ch.56½, Sec. 1401.1 - Controlled Substance Trafficking.** Any person who knowingly brings or causes to be brought into Illinois, for the purpose of manufacture or delivery or with the intent to manufacture or deliver a controlled substance is guilty of controlled substance trafficking. A conviction for a violation of this section is punishable by a term of imprisonment not less than twice the minimum term and not more than twice the maximum term authorized by Ch.56 ½, Sec. 1401 and a fine up to twice the amount authorized by Ch.56 ½, Sec. 1401 depending on the amount and type of the controlled substance brought into Illinois.

**Ch.56½, Sec. 1402 - Possession of Controlled Substances.** It is unlawful for any person to knowingly possess a controlled substance. A conviction for a violation of this section is a Class 1 felony punishable by imprisonment from four to fifty years and a fine up to \$ 200,000.

**Ch.56½, Sec. 1404(b) Look-alike Substances, Manufacture or Distribution.** It is unlawful for any person knowingly to manufacture, distribute, advertise, possess with intent to manufacture or distribute a look-alike substance. A conviction for a violation of this section is a Class 3 felony with a fine up to \$ 150,000.

**Ch.56½, Sec. 1404(c) Look-alike Substances, Possession.** It is unlawful for any person to knowingly possess a look-alike substance. A conviction for a violation of this section is a petty offense. A subsequent offense under this section is a Class C misdemeanor.

**Ch.56½, Sec 1405.1 - Criminal Drug Conspiracy.** A person commits criminal drug conspiracy when, with the intent that an offense set forth in Ch.56½, Sec. 1401, 1402, or 1407 be committed, the person agrees with another to the commission of that offense. A person convicted of criminal drug conspiracy may be fined or imprisoned or both to the maximum provided for the offense which is the object of the conspiracy.

**Ch.56½, Sec.1407 - Manufacture, Delivery, or Sales, Person under 18 - School Property - Enforcement of Penalties.**

Any person 18 years of age or over who violates Ch.56½, Sec. 1401 or Sec. 1404 by delivering a controlled substance to a person under 18 years of age may be sentenced to imprisonment for a term up to twice the maximum term and fined an amount up to twice the amount otherwise authorized by the subject statute. Any person who violates Ch.56½, Sec. 1401 on any school premises or on public housing property or on public park property or within 1,000 feet of any school premises, public housing property or park property, commits a Class 2 felony to a Class X felony with a fine up to \$500,000.

**Ch.56½, Sec. 1654 - Narcotics Racketeering.** It is unlawful for any person to engage in narcotics racketeering. A conviction for a violation of this section is a Class 1 felony with a fine up to \$250,000.

**Ch.56½, Sec. 2306 - Steroids Manufacture, Distribution, Dispensing, Delivery and Possession with intent to Distribute and Possession of Anabolic Steroids.**

It is unlawful for any person to manufacture, dispense, deliver, possess with intent to distribute, prescribe or administer any anabolic steroid for any use in humans other than for the treatment of



# THE JOHN MARSHALL LAW SCHOOL

disease in accordance with the order of a physician for a valid medical purpose in the course of professional practice. A conviction for a violation of this section is a Class A misdemeanor to a Class 3 felony punishable by fifteen years in prison and a \$100,000 fine.

**Ch.56½, Sec. 2307 - Possession of Anabolic Steroids.** Any person who is not a practitioner and who possesses anabolic steroids without a valid prescription is guilty of a Class C misdemeanor. A subsequent offense committed within two years of a prior conviction is a Class B misdemeanor.

## ***Possible Penalties For Conviction Of Offenses***

**Note:** In many instances, the Illinois legislature has specified particular penalties for violations of drug statutes, depending on such factors as the type and quantity of the drug manufactured, distributed or possessed and the number of convictions of the offender. Violations of some drug statutes are punishable by fines up to \$500,000 and terms of imprisonment of up to sixty years. The penalties listed below only apply where the statute contains no specific penalties.

**Class C misdemeanor** - 30 days in the County jail and a \$500 fine. **Class B**

**misdemeanor** - Six months in the County jail and a \$500 fine. **Class A**

**misdemeanor** - 364 days in the County Jail and a \$1,000 fine

**Class 4 Felony** - 3 years imprisonment and a \$10,000 fine except where the judge finds aggravating circumstances, in which case the term of imprisonment shall be not less than 3 years and not more than 6 years.

**Class 3 Felony** - 2 years to 5 years imprisonment and a \$10,000 fine except where the judge finds aggravating circumstances, in which case the term of imprisonment shall be not less than 5 years and not more than 10 years.

**Class 2 Felony** - 3 years to 7 years imprisonment and a \$10,000 fine except where the judge finds aggravating circumstances, in which case the term of imprisonment shall be not less than 7 years and not more than 14 years.

**Class 1 Felony** - 4 years to 15 years imprisonment and a \$10,000 fine except where the judge finds aggravating circumstances, in which case the term of imprisonment shall be not less than fifteen years and not more than 30 years.

**Class X Felony** - Punishable by 6 years to 30 years imprisonment and a \$10,000 fine except where the judge finds aggravating circumstances, in which case the term of imprisonment shall be not less than 30 years and not more than 60 years.

## ***Penalties Under Illinois State Law for Drug Convictions***

### ***Either Possession or Sale of Drugs Felony and Misdemeanor***

### ***Convictions Illinois Combined Statutes 720***

#### **ILCS 540/4**

Cannabis – (<2.5 grams) up to \$500 fine and 30 days in jail. Cannabis – (2.5 to 10 grams) up to \$1,500 fine and 6 months in jail.

Cannabis – (10 to 30 grams) up to \$2,500 fine and 1 year in jail.

Cannabis – Felony (30 to 500 grams) up to \$25,000 fine and 1 to 3 years in a penitentiary.



# THE JOHN MARSHALL LAW SCHOOL

## **ILCS 570/406(b)(3)**

Prescription Forgery – Felony \$100,000 fine and 1 to 3 years in a penitentiary.

## **ILCS 600/3.5**

Possession of Drug Paraphernalia \$750 to \$2,500 fine and up to 1 year in jail.

## **ILCS 570/402**

Possession of Heroin, Cocaine, Morphine, Methamphetamine, Lysergic Acid or LSD. (15 to 100 grams) – Felony up to \$200,000 fine and 4 to 15 years in a penitentiary.  
(100 to 400 grams) – Felony up to \$200,000 fine or the street value and 6 to 30 years in a penitentiary.

## **ILCS 570/402**

Possession of Peyote, Barbiturate Acid, Amphetamine (more than 200 grams) – Felony up to \$200,000 fine and 4 to 15 years in a penitentiary.

## **ILCS 570/402**

Possession of Methaqualone, Pentazocine or Phencyclidine (more than 30 grams) – Felony up to \$200,000 fine and 4 to 15 years in a penitentiary.

## **ILCS 570/402**

Possession of an Anabolic Steroid (any amount) up to \$1,500 fine and 30 days in jail.

## **ILCS 5/24.5-5**

Possession of Nitrous Oxide (any amount) up to \$2,500 fine and 1 year in jail.

### ***The Sale, Manufacture, Possession with Intent to Traffic Drugs Illinois Combined Statutes 720***

## **ILCA 550/5**

Cannabis (less than 2.5 grams) - up to \$1,500 fine and 6 months in jail.  
Cannabis (2.5 to 10 grams) - up to \$2,500 fine and 1 year in jail.  
Cannabis (10 to 30 grams) - Felony up to \$25,000 fine and 1 to 3 years in a penitentiary.

## **ILCA 570/401**

Cocaine (1 to 15 grams) Heroin (10 to 15 grams) Morphine (10 to 15 grams)  
Methamphetamine (5 to 15 grams) - Felony up to \$250,000 fine and 4 to 15 years in a penitentiary.  
Cocaine, Heroin, Morphine, Methamphetamine, LSD (15 to 100 grams) - Felony up to \$500,000 fine and 6 to 30 years in a penitentiary.  
Cocaine, Heroin, Morphine, Methamphetamine, LSD (100 to 400 grams) - Felony up to \$500,000 fine or street value and 9 to 40 years in a penitentiary.

## **ILCA 5/24.5-10**

Nitrous Oxide (any amount) - Felony up to \$25,000 fine and 2 to 5 years in a penitentiary.

On **January 1, 2011** Illinois passed a law banning K2 or Spice (a synthetic incense or potpourri) by amending the Illinois Controlled Substances Act (**720 ILCS 570/204**) to include the ingredients found in synthetic cannabis. According to the ban, it is a felony offense to buy, sell or possess the synthetic marijuana product in Illinois. An individual who is charged with illegally possessing synthetic marijuana could face Class 4 felony penalties in Illinois if convicted. Class 4 felony penalties may include:

- A prison term of one to three years
- Fines up to \$25,000

Those convicted of a Class 4 felony may also face mandatory drug testing, counseling and probation.



# THE JOHN MARSHALL LAW SCHOOL

On **January 1, 2012 HB 2595** took effect in Illinois. Under the new law all known synthetic marijuana products, including chemical and substitute formulas, will be classified as an illegal Schedule 1 controlled substance. The new law was expanded to comprehensively ban all currently available substances and covers more than 160 formulas. An individual who is charged with illegally selling products containing synthetic marijuana could face Class 3 felony penalties in Illinois if convicted. Class 3 felony penalties may include:

- A prison term of up to five years (30 years for 200 grams or more)
- Fines up to \$150,000 (\$500,000 for 200 grams or more)
- Seizure of illegal stock as well as any property used to facilitate the sale

On **June 27, 2012** the **Chicago City Council** approved a new ordinance which gives police the option to issue a ticket for possession of 15 grams of marijuana or less. Arrests are still mandated for anyone caught smoking marijuana in public or possessing marijuana in or near a school or in or near a park. Under the plan, anyone caught with marijuana under the age of 17 or without proper identification would still be arrested. Tickets would range from \$250 to \$500.

## **Alcohol - Illinois Law: Legal Penalties and Sanctions for Unlawful Possession, Use or Distribution**

**Ch.43, Sec. 131 - Sales to and Possession of Alcohol by persons under 21.** It is illegal to sell, give, or deliver alcoholic liquor to any person under the age of twenty-one years or to any person known by him or her to be under legal disability or in need of mental treatment. Violation of this section is a Class A misdemeanor. Any person under the age of twenty-one years who has any alcoholic beverage in his or her possession or any street or highway or in any public place or in any place open to the public is guilty of a Class B misdemeanor.

**Ch.43, Sec. 134 - Purchase or Acceptance of Liquor by Persons under 21.** Any person to whom the sale, gift or delivery of any alcoholic beverage is prohibited because of age may not purchase, or

accept a gift of alcoholic liquor or have such alcoholic liquor in his possession. The consumption of alcoholic liquor by any person under twenty-one years of age is forbidden. Whoever violates any provisions of this section is guilty of a Class C misdemeanor.

**Ch.43, Sec 134A - Consumption of Alcoholic Liquor.** The consumption of alcoholic liquor by any person under 21 years of age is forbidden. A conviction for a violation of this section is a Class C misdemeanor.

**Ch.95½, Sec. 11-501 - Driving while under the Influence of Alcohol.** A person shall not drive or be in actual physical control of any vehicle within the State of Illinois while the alcohol concentration in such person's blood or breath is 0.08% or more or the person is under the influence of alcohol. A first time conviction for a violation of this section within 5 years of a previous violation of this section shall be mandatorily sentenced to 48 consecutive hours of imprisonment or assigned to a minimum of 10 days of community service. A person convicted of committing a violation of this section shall be guilty of a Class 4 felony if (1) the person committed a violation of this section for the third or subsequent time (2) the person committed the violation while driving a school bus with children on board, or (3) the person caused a motor vehicle accident which resulted in great bodily harm. All persons convicted of driving under the influence of alcohol are subject to suspension of their driver's license.

**Ch.95½, Sec 11-502 - Transportation or Possession of Alcoholic Liquor in a Motor Vehicle.** No driver may transport, carry, possess or have alcoholic liquor within the passenger area of any motor vehicle upon a highway in the State of Illinois except in the original container with the seal unbroken. A conviction for a violation of this section is a Class A misdemeanor.

#### **Possible Penalties for Conviction of Alcohol Related Offenses**

**Class C misdemeanor** - Thirty days in the County jail and a \$500.00 fine.

**Class B misdemeanor** - Six months in the County jail and a \$500.00 fine.

**Class A misdemeanor** - 364 days in the County jail and a \$ 1,000.00 fine.

**Health Risks Associated with the Abuse of Alcohol and Illicit Drugs:** - Excerpted from the National Institute on Alcohol Abuse and Alcoholism (NIAAA) <http://www.niaaa.nih.gov/alcohol-health/alcohols-effects-body> and the National Institute on Drug Abuse (NIDA) <http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs/commonly-abused-drugs-chart>. Additional information on the health effects and federal trafficking penalties associated with various drugs is available in the Drug Enforcement Administration's 2011 "Drugs of Abuse" resource guide which can be downloaded at [http://www.justice.gov/dea/docs/drugs\\_of\\_abuse\\_2011.pdf](http://www.justice.gov/dea/docs/drugs_of_abuse_2011.pdf).



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## **Alcohol's Effects on the Body**

Drinking too much – on a single occasion or over time – can take a serious toll on your health. Here's how alcohol can affect your body:

### **Brain:**

Alcohol interferes with the brain's communication pathways, and can affect the way the brain looks and works. These disruptions can change mood and behavior, and make it harder to think clearly and move with coordination.

### **Heart:**

Drinking a lot over a long time or too much on a single occasion can damage the heart, causing problems including:

- Cardiomyopathy – Stretching and drooping of heart muscle
- Arrhythmias – Irregular heart beat
- Stroke
- High blood pressure

Research also shows that drinking moderate amounts of alcohol may protect healthy adults from developing coronary heart disease.

### **Liver:**

Heavy drinking takes a toll on the liver, and can lead to a variety of problems and liver inflammations including:

- Steatosis, or fatty liver
- Alcoholic hepatitis
- Fibrosis
- Cirrhosis

### **Pancreas:**

Alcohol causes the pancreas to produce toxic substances that can eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood vessels in the pancreas that prevents proper digestion.

### **Cancer:**

Drinking too much alcohol can increase your risk of developing certain cancers, including cancers of the:

- Mouth
- Esophagus
- Throat
- Liver
- Breast

### **Immune System:**

Drinking too much can weaken your immune system, making your body a much easier target for disease. Chronic drinkers are more liable to contract diseases like pneumonia and tuberculosis than people who do not drink too much. Drinking a lot on a single occasion slows your body's ability to ward off infections – even up to 24 hours after getting drunk.

## **Drug Health Risks and Effects**

### **Alcohol:**

Acute Effects include – In low doses, euphoria, mild stimulation, relaxation, lowered inhibitions; in



# THE JOHN MARSHALL LAW SCHOOL

higher doses, drowsiness, slurred speech, nausea, emotional volatility, loss of coordination, visual distortions, impaired memory, sexual dysfunction, loss of consciousness.

Health Risks include - Increased risk of injuries, violence, fetal damage (in pregnant women); depression; neurologic deficits; hypertension; liver and heart disease; addiction; fatal overdose.

## **Tobacco:**

Health Risks include Chronic lung disease; cardiovascular disease; stroke; cancers of the mouth, pharynx, larynx, esophagus, stomach, pancreas, cervix, kidney, bladder, and acute myeloid leukemia; adverse pregnancy outcomes; addiction.

## **Marijuana/Hashish:**

Acute Effects include - Euphoria; relaxation; slowed reaction time; distorted sensory perception; impaired balance and coordination; increased heart rate and appetite; impaired learning, memory; anxiety; panic attacks; psychosis.

Health Risks include - Cough, frequent respiratory infections; possible mental health decline; addiction.

## **Heroin/Opium:**

Acute Effects include - Euphoria; drowsiness; impaired coordination; dizziness; confusion; nausea; sedation; feeling of heaviness in the body; slowed or arrested breathing.

Health Risks include - Constipation; endocarditis; hepatitis; HIV; addiction; fatal overdose.

## **Cocaine/Amphetamine/Methamphetamine:**

Acute Effects include - Increased heart rate, blood pressure, body temperature, metabolism; feelings of exhilaration; increased energy, mental alertness; tremors; reduced appetite; irritability; anxiety; panic; paranoia; violent behavior; psychosis.

Health Risks include - Weight loss, insomnia; cardiac or cardiovascular complications; stroke; seizures; addiction.

Also, for cocaine – Nasal damage from snorting.

Also, for methamphetamine – Severe dental problems.

## **MDMA/Rohypnol/GHB:**

Acute Effects, for MDMA include - Mild hallucinogenic effects; increased tactile sensitivity; empathic feelings; lowered inhibition; anxiety; chills; sweating; teeth clenching; muscle cramping.

Also, for Rohypnol - Sedation; muscle relaxation; confusion; memory loss; dizziness; impaired coordination.

Also, for GHB - Drowsiness; nausea; headache; disorientation; loss of coordination; memory loss. Health

Risks, for MDMA include - Sleep disturbances; depression; impaired memory; hyperthermia; addiction.

Also, for Rohypnol – Addiction.

Also, for GHB - Unconsciousness; seizures; coma.

**Ketamine/ PCP/Salvia/ DXM:**

Acute Effects include - Feelings of being separate from one's body and environment; impaired motor function.

Also, for ketamine - Analgesia; impaired memory; delirium; respiratory depression and arrest; death.

Also, for PCP and analogs - Analgesia; psychosis; aggression; violence; slurred speech; loss of coordination; hallucinations.

Also, for DXM - Euphoria; slurred speech; confusion; dizziness; distorted visual perceptions.

Health Risks include - Anxiety; tremors; numbness; memory loss; nausea.

**LSD/ Mescaline/ Psilocybin:**

Acute Effects include - Altered states of perception and feeling; hallucinations; nausea.

Also, for LSD - Increased body temperature, heart rate, blood pressure; loss of appetite; sweating; sleeplessness; numbness, dizziness, weakness, tremors; impulsive behavior; rapid shifts in emotion.

Also, for Mescaline - Increased body temperature, heart rate, blood pressure; loss of appetite; sweating; sleeplessness; numbness, dizziness, weakness, tremors; impulsive behavior; rapid shifts in emotion.

Also, for Psilocybin - Nervousness; paranoia; panic.

Health Risks, for LSD include - Flashbacks, Hallucinogen Persisting Perception Disorder.

**Anabolic steroids/Inhalants:**

Acute Effects, for Anabolic steroids include - No intoxication effects.

Also, for Inhalants (varies by chemical) - Stimulation; loss of inhibition; headache; nausea or vomiting; slurred speech; loss of motor coordination; wheezing.

Health Risks, for Anabolic steroids include - Hypertension; blood clotting and cholesterol changes; liver cysts; hostility and aggression; acne; in adolescents—premature stoppage of growth; in males—prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females—menstrual irregularities, development of beard and other masculine characteristics.

Also, for Inhalants - Cramps; muscle weakness; depression; memory impairment; damage to cardiovascular and nervous systems; unconsciousness; sudden death.

**Where To Get Help:** - The John Marshall Law School offers several sources of assistance for those who seek treatment for drug and alcohol abuse. The **Counseling Services** can make referrals to appropriate community organizations. In addition, you can make an appointment to see one of the School's counselors who will meet with you on a confidential basis to discuss any areas of concern. The counselors are available to discuss the breadth of the School's insurance policy as it relates to drug and/or alcohol abuse treatment. To set up an appointment, contact **Counseling Services** at **312-360-2668** or by email at [Jmlshealthservices@gmail.com](mailto:Jmlshealthservices@gmail.com).



### **Drug or Alcohol Abuse Programs**

To educate employees and students on the dangers of drug abuse, the law school has established a drug-awareness program. As part of the law school's program, materials are periodically made available to all employees and students, describing the dangers of drug and alcohol abuse, the law school's policy regarding drugs and alcohol, and the availability of counseling. The law school will impose disciplinary sanctions consistent with local, state and federal laws on students and employees who violate the standards of conduct outlined above. Students who violate rules prohibiting illicit drug and alcohol possession or distribution are subject to expulsion. Employees who violate any aspect of this policy are subject to dismissal. At its discretion, the law school may require employees or students who violate this policy as a condition of remaining employed by or enrolled in any law school program to successfully complete a drug-abuse assistance or rehabilitation program. Sanctions under the Act may also include referral to appropriate authorities for prosecution. The Associate Dean for Academic Services is responsible for enforcement of the law school's Drug and Alcohol abuse policy.