

# Drug-Free Workplace and Substance Abuse Policies

According to U.S. Department of Labor statistics, within the United States, 73 percent of drug users are employed. This drug use costs American business billions of dollars annually in lost productivity and health care costs. The Drug-Free Workplace Act of 1988 is the result of the federal government's action to address substance abuse issues in the workplace.

## Drug-Free Workplace Policy

The College prohibits employees from using, possessing, dispensing, distributing or manufacturing any controlled substances or drugs in the workplace. This policy covers the Des Plaines and Ray Hartstein Campuses and any work site designated for the performance of work or a College-sponsored activity.

## Substance Abuse Policy

The College prohibits the unlawful use, possession or distribution of legally controlled or any controlled substances, or the consumption of alcohol (except as provided by law), by persons on campus or at College-sponsored activities. Oakton provides information to the College community about the detrimental effects of the use of drugs and the consumption of alcohol.

## Drug and Alcohol Health Risks

Abuse of drugs and alcohol pose great health risks to employees. See **EXHIBIT 1** on page 2 and **EXHIBIT 2** on pages 6 and 7, for information regarding the health risks associated with alcohol and substance abuse.

## What are the Consequences of a Conviction?

As a condition of employment, an employee who is convicted of unlawfully possessing, using, dispensing, distributing or manufacturing any controlled substances or drugs within the workplace must notify the director of Human Resources in writing within five (5) calendar days of the conviction.

If the employee is directly engaged in performance of work pursuant to the provisions of a federal grant or federal contract, the College will give notice of the conviction to the federal agency with which it has contracted or from which it received the grant within ten (10) calendar days of receiving notification of conviction.

Within thirty (30) days after receiving notice of a conviction, the College shall take appropriate disciplinary or referral action. The College disciplinary and termination policies shall govern discipline for violations. In place of disciplinary sanctions for violations, the College, in its discretion, may require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program designated by the

College and approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

Employees who are prosecuted and convicted of drug or alcohol-related offenses are subject to the sanctions set forth in **EXHIBIT A** on page 4 (sanctions under federal law for drug related offenses), **EXHIBIT B** on page 8 (sanctions under state law for drug-related offenses), **EXHIBIT C** on page 11 (sanctions under state law for alcohol-related offenses), and **EXHIBIT D** on page 12 (penalties under state law for drug convictions).

## Is Help Available?

Oakton publishes a directory of resources including the names, addresses and telephone numbers of local drug and alcohol counseling, treatment or rehabilitation programs. This directory is available in the Oakton Library, Union Association Office and the Advising and Counseling Center on both campuses.

**Contact Human Resources, 635-1675, for any questions regarding these policies.**

## **EXHIBIT 1**

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### **Health Risks Associated with Alcohol Abuse**

Alcohol consumption causes a number of marked changes in behavior. Even small amounts of alcohol significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate amounts of alcohol increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high consumption of alcohol causes marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Consuming very high amounts of alcohol causes respiratory depression and death. If combined with other depressants of the central nervous system, consuming much lower amounts of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, especially when combined with poor nutrition, can also lead to permanent damage to vital organs, such as the brain and the liver.

Women who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters.

# Federal Trafficking Penalties - Controlled Substances

As of November 1989

CSA	PENALTY		QUANTITY	DRUG	QUANTITY	PENALTY	
	2nd Offense	1st Offense				1st Offense	2nd Offense
I and II	Not less than 10 years Not more than life.	Not less than 5 years Not more than 40 years.	10-99 gm or 100-999 gm mixture	METHAMPHETAMINE	100 gm or more or 1 gm or more mixture	Not less than 10 years, not more than life.	Not less than 20 years not more than life.
			100-999 gm mixture	HEROIN	1 kg or more mixture		
	If death or serious injury, not less than life.	If death or serious injury, not less than 20 years, or more than life.	500-4,999 gm mixture	COCAINE	5 kg or more mixture	If death or serious injury, not less than 20 years, not more than life.	If death or serious injury, not less than life.
			5-49 gm mixture	COCAINE BASE	50 gm or more mixture		
	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$2 million individual, \$5 million other than individual.	10-99 gm or 100-999 gm mixture	PCP	100 gm or more or 1 kg or more mixture	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$8 million individual, \$20 million other than individual.
			1-10 gm mixture	LSD	10 gm or more mixture		
			40-399 gm mixture	FENTANYL	400 gm or more mixture		
			10-99 gm mixture	FENTANYL ANALOGUE	100 gm or more mixture		
	<b>Drug</b>	<b>Quantity</b>	<b>1st Offense</b>		<b>2nd Offense</b>		
	Others*	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.		Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual.		
III	All	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.		
IV	All	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million individual.		Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.		
V	All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual.		Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.		

Law as originally enacted states 100 gm. Congress requested to make technical correction to 1kg.

\*Does not include marijuana, hashish, or hash oil (see other table)

## EXHIBIT A

### Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

#### 21 U.S.C. 844(a) – Penalty for Simple Possession

##### 1st conviction:

Up to one (1) year imprisonment and fined at \$1,000 but not more than \$100,000, or both.

##### After one (1) prior drug conviction:

At least 15 days in prison, not to exceed two (2) years and fined at least \$2,500 but not more than \$10,000, or both.

##### After 2 or more prior drug convictions:

At least 90 days in prison, not to exceed three (3) years and fined at least \$5,000 but not more than \$25,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five (5) years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- 1st conviction and the amount of crack possessed exceeds 5 grams.
- 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

#### 21 U.S.C. 853(a)(2) and 881(a)(7) - Criminal Forfeitures

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one (1) year imprisonment. (See special sentencing provisions re: crack).

#### 21 U.S.C. 881(a)(4) - Criminal Forfeitures

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

#### 21 U.S.C. 844(a) - Civil Penalty for Possession of Small Amounts of Certain Controlled Substances

Civil fine of up to \$10,000 (pending adoption of final regulations).

#### 21 U.S.C. 862 - Denial of Federal Benefits to Drug Traffickers and Possessors

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one (1) year for first offense, up to five (5) years for second and subsequent offenses.

#### 18 U.S.C. 922(g) - Federal Firearms Statute

Ineligible to receive or purchase a firearm.

#### Miscellaneous

Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc. are vested within the authorities of individual Federal agencies.

### Federal Trafficking Penalties

MARIJUANA			
Quantity	Description	First Offense	Second Offense
1,000 kg or more, or 1,000 or more plants	MARIJUANA Mixture containing detectable quantity*	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, mandatory life. Fine not more than \$8 million individual, \$20 million other than individual.
100 kg to 1,000 kg, or 100-999 plants	MARIJUANA Mixture containing detectable quantity*	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual, \$10 million other than individual.
50-100 kg	MARIJUANA	Not more than 20 years. If death or serious injury, not more than life. Fine \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.
10-100 kg	HASHISH		
1-100 kg	HASHISH OIL		
50-99 plants	MARIJUANA	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million other than individual.	Not more than 10 years. Fine \$500,000 individual, \$2 million if other than individual.
Less than 50 kg	MARIJUANA		
Less than 10 kg	HASHISH		
Less than 1 kg	HASHISH OIL		

Marijuana is a Schedule I controlled substance.

\*Includes hashish and hashish oil

## EXHIBIT 2

### Controlled Substances – Uses & Effects

Drugs	CSA Schedules	Trade or Other Names	Medical Uses	Physical Tolerance	Physical Dependence	Duration (hours)	Usual Methods of Administration	
<b>NARCOTICS</b>								
Opium	II III V	Dovers Powder, Paragoric, Parepectolin	Analgesic, antidiarrheal	High	High	3-6	Oral, smoked	<p><b>Possible effects:</b> Euphoria, drowsiness, respiratory depression, constricted pupils, nausea</p> <p><b>Effects of overdose:</b> Slow and shallow breathing, clammy skin, convulsions, coma, possible death</p> <p><b>Withdrawal syndrome:</b> Watery eyes, runny nose, yawning, loss of appetite, panic, irritability, tremors, cramps, nausea, chills and sweating</p>
Morphine	II III	Morphine, MS-Contin, Roxanol, Roxanol-SR	Analgesic, antitussive	High	High	3-6	Oral, smoked, injected	
Codeine	II III V	Tylenol w/Codeine, Empirin w/Codeine, Robitussin A-C, Fiorinal w/Codeine	Analgesic, antitussive	Moderate	Moderate	3-6	Oral, injected	
Heroin	I	Diacetylmorphine, Horse, Smack	None	High	High	3-6	Injected, sniffed, smoked	
Hydromorphone	II	Dilaudid	Analgesic	High	High	3-6	Oral, injected	
Meperidine (Pethidine)	II	Demerol, Mepergan	Analgesic	High	High	3-4	Oral, injected	
Methadone	II	Dolophine, Methadone	Analgesic	High	High-Low	12-24	Oral, injected	
Other Narcotics	I II III IV V	Nutmorphin, Percodan, Tylox, Percocet, Tussionex, Fentanyl, Darvon, Lomotil, Talwin	Analgesic, antidiarrheal, antitussive	High-Low	High-Low	Variable	Oral, injected	
<b>DEPRESSANTS</b>								
Chloral Hydrate	IV	Noctec	Hypnotic	Moderate	Moderate	5-8	Oral	<p><b>Possible effects:</b> Slurred speech, disorientation, drunken behavior without odor of alcohol</p> <p><b>Effects of overdose:</b> Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death</p> <p><b>Withdrawal syndrome:</b> Anxiety, insomnia, tremors, delirium, convulsions, possible death</p>
Barbituates	II III IV	Amytal, Butisol, Fiorinal, Lotusate, Nembutal, Seconal, Tuinal, Phenobarbital	Anaesthetic, sedative, hypnotic anticonvulsant	High-Moderate	High-Moderate	1-16	Oral	
Benzodiazepines	IV	Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranxene, Versed, Verstran, Halcion, Paxipam, Restoril	Antianxiety, anticonvulsant, sedative, hypnotic, vet. euthanasia	Low/Low	Yes	4-8	Oral	
CQ Methaqualone	I	Quaalude	Sedative, hypnotic	High/High	High	4-8	Oral	
Glutethimide	III	Doriden	Sedative, hypnotic	High	Moderate	4-8	Oral	
Other Depressants	III IV	Equanil, Miltown, Noludar, Placidyl, Valmid	Antianxiety, sedative, hypnotic	Moderate	Moderate	4-8	Oral	
<b>STIMULANTS</b>								
Cocaine	II	Coke, flake, snow, crack	Local anesthetic	Possible	High injected	1-2	Sniffed, smoked,	<p><b>Possible effects:</b> Increased alertness, excitation, euphoria, increased pulse rate &amp; blood pressure, insomnia, loss of appetite</p> <p><b>Effects of overdose:</b> Agitation, increase in body temperature, hallucinations, convulsions, possible death</p> <p><b>Withdrawal syndrome:</b> Apathy, long periods of sleep, irritability, depression, disorientation</p>
Amphetamines	II	Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol	Attention deficit disorders, narcolepsy, weight control	Possible	High	2-4	Oral, injected	
Phenmetrazine	II	Preludin	Weight control	Possible	High	2-4	Oral, injected	
Methylphenidate	II	Ritalin	Attention deficit disorders, narcolepsy	Possible	Moderate	2-4	Oral, injected	
Other Stimulants	II IV	Adipex, Cylert, Didrex, Lonamin, Melfiat, Plegine, Sanorex, Tenuate, Tepanil, Prelu-2	Weight control	Possible	High	2-4	Oral, injected	
<b>HALLUCINOGENS</b>								
LSD	I	Acid, Microdot	None	None/Unknown	Yes	8-12	Oral	<p><b>Possible effects:</b> Illusions and hallucinations, poor perception of time and distance</p> <p><b>Effects of overdose:</b> Longer, more intense "trip" episodes, psychosis, possible death</p> <p><b>Withdrawal syndrome :</b> Withdrawal syndrome not reported</p>
Mescaline & Peyote	I	Mexc, Buttons, Cactus	None	None/Unknown	Yes	8-12	Oral	
Amphetamine variants	I	2.5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	None	Unknown/Unknown	Yes	Variable	Oral, injected	
Phencyclidine	II	PCP, Angel Dust, Hog	None	Unknown	High	Days	Smoked, oral, injected	
Phencyclidine Analogues	I	PCE, PCPy, TCP	None	Unknown	High	Days	Smoked, oral, injected	
Other Hallucinogens	I	Bufotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn	None	None/Unknown	Possible	Variable	Smoked, oral, injected, sniffed	
<b>CANNABIS</b>								
Marijuana	I	Pot, Acapulco Gold, Grass, Weed, Reefer, Sinsemilia, Thai Sticks	None	Unknown	Moderate	2-4	Smoked, oral	<p><b>Possible effects:</b> Euphoria, relaxed inhibitions, increased appetite, disoriented behavior</p> <p><b>Effects of overdose:</b> Fatigue, paranoia, possible psychosis</p> <p><b>Withdrawal syndrome:</b> Insomnia, hyperactivity and decreased appetite occasionally reported</p>
Tetrahydrocannabinol	I II	THC, Marinol	Cancer chemo, antinauseant	Unknown	Moderate	2-4	Smoked, oral	
Hashish	I	Hash	None	Unknown	Moderate	2-4	Smoked, oral	
Hashish Oil	I	Hash Oil	None	Unknown	Moderate	2-4	Smoked, oral	

<sup>1</sup>Not designated a narcotic under the CSA.

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## EXHIBIT B

### Legal Penalties and Sanctions under Illinois Law for Unlawful Possession, Use or Distribution of a Controlled Substance

#### Drug Related Offenses

**Ch.56½, Sec.704 - Unlawful Possession of Cannabis.** It is unlawful for any person knowingly to possess Cannabis (Marijuana). A conviction for a violation of this section is a Class C misdemeanor for possession of less than 2.5 grams to a Class 3 felony for possession of over 500 grams.

**Ch.56½, Sec. 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. A conviction for a violation of this section is a Class B misdemeanor for a violation involving less than 2.5 grams to a Class 2 felony with a \$100,000 fine for a violation involving more than 500 grams.

**Ch.56½, Sec. 705.1 - Cannabis 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 2,500 grams or more of cannabis in Illinois or any other state or country is guilty of cannabis 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 under Ch.56½, Sec. 705 and a fine up to twice the amount authorized by Ch.56½ Sec. 705 depending on the amount brought into Illinois.

**Ch.56½, Sec. 709 - Calculated Criminal Cannabis Conspiracy.** It is unlawful for any person to engage in a calculated criminal cannabis conspiracy. A conviction for a violation of this section is a Class 3 to a Class 1 felony with a fine up to \$200,000.

**Ch.56½, 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.56½, Sec. 1401 and a fine up to twice the amount authorized by Ch.56½, 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 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** - \$500 fine and/or 30 days in jail.

**Class B misdemeanor** - \$1,000 fine and/or six months in jail.

**Class A misdemeanor** - \$1,000 fine and/or 1 year in jail.

**Petty offense** - \$500.

**Class 4 Felony** - 1 year to 3 years imprisonment and a fine of up to \$10,000, (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.

## EXHIBIT C

### Penalties and Legal Sanctions under Illinois for Unlawful Possession, Use or Distribution of Alcohol

#### Alcohol Related Offenses

**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.

## **EXHIBIT D**

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### **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.

#### **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.