

DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM MATERIALS FOR EMPLOYEES

In accordance with the Federal Drug-Free Schools and Campuses Regulations, including 34 C.F.R. Part 86, Subpart B, and Governors State University (“GovState”) Board of Trustees Regulations § II.C.4.b, the Department of Human Resources hereby distributes this annual notification of the following information to all GovState employees:

1. Standards of conduct and list of institutional sanctions for alcohol and drug related violations.
2. List of legal sanctions related to unlawful use, possession, or distribution of illicit drugs and alcohol.
3. Description of health risks associated with drug and alcohol use and abuse.
4. Referral sources for drug and alcohol programs that are available to employees.

STANDARDS OF CONDUCT AND INSTITUTIONAL SANCTIONS

The GovState Board of Trustees has adopted a Regulation entitled “Drug-Free Workplace,” found at Board of Trustees Regulations § II.C.4, that is applicable to all GovState employees. The text of that Drug-Free Workplace Regulation is as follows:

SECTION II. EMPLOYEES

[. . .]

C. Conditions of Employment

[. . .]

4. Drug-Free Workplace

a. Purpose of Regulation

The Board has adopted this Regulation to inform all University employees, both faculty and staff, about the adverse effects of drug and alcohol abuse; to set standards of conduct and disciplinary and legal sanctions related to such use or abuse; and to advise them regarding available counseling and rehabilitation services, with the intent of fully complying with any current or future requirements, regulations, or interpretations developed related to all relevant applicable State and Federal laws and regulations, including but not limited to the federal Drug-Free Schools and Communities Act Amendments of 1989 and the federal Drug-Free Workplace Act of 1988.

b. Standards of Conduct

All employees are prohibited from the unlawful possession, use, sale, manufacture, or distribution of controlled substances, including illicit drugs and alcohol, on University premises or property, possession of drug paraphernalia, marijuana, or alcohol on University premises or property, or

the abuse of alcohol on University premises or property or in connection with any University activity. All employees are required to be fit for duty during their entire work schedule. This means that employees must be able to perform their jobs in a safe, secure, productive, and effective manner. Employees who are not fit for work may present a safety hazard to themselves, to other employees, to students, to the University, and to the public.

The passage of the Illinois Cannabis Regulation and Tax Act, effective January 1, 2020, which legalizes recreational use of marijuana and certain activities related to the use of marijuana in the State of Illinois, does not affect the University's prohibition of marijuana on University property or premises or in connection with any University activity. Marijuana is still an illicit controlled substance under federal law, and therefore, is prohibited under the provisions of this Regulation.

This Regulation does not prohibit employees from the lawful use and possession of prescribed medications. Employees are responsible for consulting with their doctors about a medication's effect on their ability to work safely and must promptly disclose any restrictions to their supervisor. Employees are not required to disclose underlying medical conditions that have caused the need for the prescribed medication(s).

If any applicable collective bargaining agreement includes provisions related to drug and alcohol testing, the provisions in the collective bargaining agreement shall control over this Regulation.

As a supplement to this Regulation, the President, or his or her delegee, shall compile, publish, and distribute additional information relating to the health risks associated with the use of illicit drugs and abuse of alcohol and the applicable legal sanctions for unlawful possession or distribution of illicit drugs and alcohol.

c. Testing

In appropriate circumstances, an employee may be required to be examined at a health center, hospital, urgent care facility or clinical laboratory, in order to determine the employee's fitness to perform assigned duties and responsibilities. Testing is required if a supervisor and second observer reasonably suspect the employee of using or being under the influence of alcohol or drugs while they are working, on University premises, or operating University vehicles. If an employee is suspected of being under the influence the following steps must be taken:

- The supervisor will obtain confirmation from a second observer and complete a "Reasonable Suspicion" form to be produced and distributed under the President's direction.
- Once completed, the supervisor will immediately contact the University's "Designated Representative," appointed by the President or President's delegee, of the University Human Resources Department ("HR") for next steps to be taken with employee.
- Upon receiving the completed Reasonable Suspicion form, HR will enter the drug screen request into the HireRight ordering system and provide the screening scheduling information with collection site instructions to the employee.
- HR will provide the screening scheduling information to the employee to carry with them for immediate processing at the designated collection site.
- The supervisor will arrange transportation for the employee (via cab or car service).

- HR should contact the local police immediately in the event that an employee who is suspected of being under the influence attempts to operate a motor vehicle.
- The supervisor or HR Designated Representative will inform the employee not to return to work until cleared by HR.

Testing is also required when an employee causes or contributes to accidents which seriously damage University property, or result in an injury requiring emergency medical treatment away from the scene of the accident. To the extent possible, the same steps outlined above should be followed in those post-accident situations.

The University reserves the right to require employees to undergo psychological/psychiatric evaluation and treatment, as well as tests for illegal drugs or alcohol. Employees who refuse to comply with recommended evaluations may be disciplined up to and including discharge. An employee may be disciplined (up to and including termination) for violation of this Regulation in the absence of a test, based on other evidence, including, but not limited to, observed conduct and symptoms.

Employees who refuse to cooperate in required tests will be treated as if they failed the test.

Employees who return to work after testing positive for being under the influence of drugs or alcohol in the workplace will be subject to random testing.

d. Confidentiality

Employees required to participate in reasonable suspicion drug testing, or post-accident testing, shall be sent or driven to a health center, hospital, urgent care, or clinical laboratory and directed to provide a specimen. They must not drive themselves. If they leave the site in their vehicle, the local police should be called by the employee's supervisor or HR.

Specimens shall be collected by trained technicians using approved testing devices, which are regularly calibrated and capable of producing printed results that identify the employee. Employees may provide split specimens and may provide specimens in private unless they appear to be submitting altered, adulterated, diluted, or substitute specimens. Collected specimens shall be sent to a certified laboratory and tested for evidence of amphetamines, barbiturates, cocaine, marijuana, opiates, phencyclidine, benzodiazepines, methadone, and propoxyphene use. There shall be a chain of custody created and completed, from the time specimens are collected through testing and storage.

The collection site and/or lab shall transmit positive drug tests results to a HireRight Medical Review Officer ("MRO"), who shall offer persons with positive results a reasonable opportunity to establish that their results are caused by prescribed medicines or lawful substances. The University will also receive a copy of the drug test results. Persons with positive test results may also ask the MRO to have their split specimen tested at the employee's or applicant's own expense. Such requests must be made within three (3) working days of notice of test results. If the second test fails to find any evidence of drug use in the split specimen, the employee will be treated as passing the test.

e. Disciplinary Sanctions

The first violation by an employee of the standards of conduct cited in this Regulation may result in:

- disciplinary suspension from work without pay for thirty (30) days; and
- required participation in an approved drug abuse and/or alcohol abuse treatment or rehabilitation or re-entry program; and
- where appropriate, referral for prosecution; and
- possible termination of employment under applicable Board Governing Documents, University policies, statutes, employment contracts, or collective bargaining agreements.

The second violation by an Employee of the standards of conduct cited in this Policy shall result in:

- termination of employment under applicable Board Governing Documents, University policies, statutes, employment contracts, or collective bargaining agreement; and
- where appropriate, referral for prosecution.

f. Drug-Free Awareness Program and Counseling, Treatment, Rehab, or Re-Entry Programs

Drug abuse and/or alcohol abuse assessment, counseling and referral to treatment or rehabilitation or re-entry programs are available to employees through the University's Employee Assistance Program. The Employee Assistance Program counselor will assist employees in identifying the appropriate services/facilities available to them under the employee's medical insurance plan. The counselor will also assist employees with entry into the program and monitor progress. Such employees may be required to document that they are successfully following prescribed treatment and required to take and pass follow-up tests.

The foregoing shall not be construed as an obligation on the part of the University to retain an employee on active status throughout the period of rehabilitation if it is appropriately determined that the employee's current use of alcohol or drugs prevents such employee from performing their duties or whose continuation on active status would constitute a direct threat to the property or safety of others. Such employees shall be afforded the opportunity to use available accumulated paid leave or take an unpaid leave of absence, at the employee's option, pending treatment.

g. Reporting Obligations

Every employee must notify HR within five (5) calendar days if he or she is convicted of a criminal drug violation.

h. Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided by the collection site and/or lab shall be kept confidential and maintained in secure files separate from normal employee personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and

may be disclosed where relevant when related to a grievance, charge, claim or other legal proceeding initiated by or on behalf of the employee. Information related to a covered employee's conviction of a criminal drug violation will be reported within ten (10) days, if and as required by the Drug-Free Workplace Act.

i. Definitions

For purposes of this Regulation, the following definitions apply:

- "University premises" or "University property" includes, but is not limited to all buildings, offices, facilities, grounds, parking lots, places and vehicles owned, leased or managed by the University.
- "Illegal drugs" means substances whose use or possession is controlled by applicable law, but which are not being used or possessed under the supervision of a licensed health care professional. While the University will not penalize an employee solely for his or her status as a registered qualifying patient under the Illinois Compassionate Use of Medical Cannabis Program Act, or similar law, any employee who is a registered qualifying patient is nevertheless required to comply with this Regulation and is subject to discipline up to and including termination for violations of this Regulation.
- "Refusal to cooperate" means to obstruct the collection process, to submit an altered, adulterated or substitute sample, or to fail to promptly provide specimen(s) for testing when directed.
- "Under the influence of alcohol" means having a blood alcohol concentration of .04 or more and/or actions, appearance, speech or bodily odors which reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.
- "Under the influence of drugs" means a confirmed positive test result for illegal drug use. However, the University reserves the right to terminate the employment of any employee who is suspected of being impaired or under the influence of cannabis. A determination of suspected cannabis impairment will be based on when the employee manifests specific, articulable symptoms while working of decreased or lessened performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment, or the disregard for the safety of the employee or others.

j. Distribution of Regulation

A copy of this Regulation, along with a copy of the supplemental, additional information prepared in accordance with Regulations Section II(C)(4)(f), will be distributed annually to all employees via electronic mail. As new employees are hired thereafter, a copy of this Regulation and supplemental, additional information will be supplied to each of them with the appointment letters/contracts at the time of hire. This Regulation and the supplemental, additional information will also be posted on the University's website for reference.

Any amendment of, or supplement to, this Regulation will be distributed and posted as mentioned as soon as practicable after such amendment or supplement becomes effective.

k. Review of Regulation

The University's evaluation plan for its drug and alcohol abuse prevention program will include quantitative and naturalistic approaches to assess the success of the program to meet its stated goals and to comply with applicable law.

To assess Regulation and program effectiveness, the University will collect and evaluate data in the following areas:

- Number of drug and alcohol related referrals for counseling,
- Number of drug and alcohol related disciplinary sanctions imposed,
- Number of drug and alcohol related incidents recorded by the University Public Safety Department,
- Number of employees participating in University-sponsored drug and alcohol related workshops and seminars.

A naturalistic evaluation approach will be used to evaluate incidence of illicit drug and alcohol abuse. This evaluation will include the aforementioned data tracking system as well as an analysis of the environmental conditions and events which enhance and/or support the usage by an employee.

This process will enable the University to more effectively make the necessary changes/modification in its preventive program.

l. No Creation of Rights

This Regulation does not, and may not be interpreted to, create any rights for any person or entity other than the University. Nothing in this Regulation may be construed as altering the employment relationship between the University and any employee. Application of progressive discipline pursuant to this Regulation to employees who serve at-will is discretionary and does not affect the at-will status of any such employee.

LEGAL SANCTIONS FOR THE UNLAWFUL USE, POSSESSION, OR DISTRIBUTION OF ALCOHOL AND ILLICIT DRUGS

State and Local Alcohol Laws

Consumption, Purchase, Acceptance, or Possession of Alcohol by a Person Under Age 21

Illinois law forbids any person under age 21 from consuming alcoholic beverages. See 235 ILCS 5/6-20(e); Will Cnty. Code of Ordinances § 131.02(A).

A person under age 21 may not buy alcoholic beverages, accept alcoholic beverages as a gift, or have alcoholic beverages in his or her possession. See 235 ILCS 5/6-20(a); Will Cnty. Code of Ordinances § 110.070(C); Univ. Park Code of Ordinances § 609-03. Any person who violates those restrictions is guilty of a Class A misdemeanor, the sanctions for which include the following: a prison sentence of up

to one (1) year and a fine up to \$2,500. See 235 ILCS 5/6-20(f); see also Will Cnty. Code of Ordinances §§ 110.999 (imposing a fine of \$1,000 for a first violation of Chapter 110 in a 12-month period and of \$1,500 for a second violation within a 12-month period and of \$2,000 for a third violation within a 12-month period), 131.99(A) (imposing a fine between \$100-\$500 for a violation of § 131.02); Univ. Park Code of Ordinances § 609-99(a) (imposing a fine between \$25-\$500 per violation of § 609-03).

The consumption, purchase, acceptance, or possession of alcoholic beverages by a person under age 21 may also result in the suspension or revocation of that person's driving privileges by the Illinois Secretary of State. See 625 ILCS 5/6-206(a)(38), (43). The consumption, purchase, acceptance, or possession of alcoholic beverages by a person under age 18 may also result in the denial of a driver's license to that person by the Illinois Secretary of State. See 625 ILCS 5/6-107(d).

Sale or Delivery of Alcohol to a Person Under Age 21

It is unlawful for any store, bar, restaurant, or other liquor licensee to sell, give, or deliver alcoholic beverages to any person under age 21 or to any intoxicated person. See 235 ILCS 5/6-16(a)(i); Will Cnty. Code of Ordinances § 110.070(B); Univ. Park Code of Ordinances § 609-01(a). Any individual officer, associate, representative, agent, or employee of a liquor licensee who violates that law is guilty of a Class A misdemeanor, the sanctions for which include the following: a prison sentence of up to one (1) year and a fine up to \$2,500. See 235 ILCS 5/6-16(b); see also Will Cnty. Code of Ordinances § 110.999; Univ. Park Code of Ordinances § 609-99(b) (imposing a fine of \$100 for a first violation of § 609-01, of \$300 for a second violation, and of \$750 for a third or any subsequent violation).

It is also unlawful for any person, after purchasing or otherwise obtaining an alcoholic beverage, to sell, give, or deliver such alcoholic beverage to another person under age 21 (except in the performance of a religious ceremony or service). See 235 ILCS 5/6-16(a)(iii); Will Cnty. Code of Ordinances §§ 110.070(A), 131.02(B); Univ. Park Code of Ordinances § 609-01(a). Any person who violates this law is guilty of a Class A misdemeanor, the sanctions for which include the following: a prison sentence of up to one (1) year and a fine of not less than \$500 for a first offense and of not less than \$2,000 for a second or subsequent offense. See 235 ILCS 5/6-16(a); see also Will Cnty. Code of Ordinances §§ 110.999, 131.99(A); Univ. Park Code of Ordinances § 609-99(b).

Further, any person who knowingly obtains an alcoholic beverage for the purpose of providing it to another person under age 21, will be guilty of a Class 4 felony (the sanctions for which include a prison sentence of 1-3 years and a fine up to \$25,000) if a death occurs as the result of the illegal act. See 235 ILCS 5/6-16(a).

Additionally, in Will County, it is unlawful for a person under age 21 to enter an establishment (such as a bar) or the portion of an establishment (such as a bar section of a restaurant) that serves alcoholic beverages for consumption on site. (This restriction does not apply to regular seating areas in restaurants or to persons under age 21 who are with their parent or guardian). See Will Cnty. Code of Ordinances §§ 110.071, 110.999.

Use of Fraudulent or Fake ID by a Person Under Age 21

Illinois law also forbids any person under age 21 from presenting, as evidence of age and identity, documentation that is false, fraudulent, or not actually his or her own (a “fake ID”) for the purpose of obtaining or attempting to obtain an alcoholic beverage. Any person under age 21 who presents a fake ID or who has in his or her possession any such fake ID, is guilty of a Class A misdemeanor, the sanctions for which include the following: a prison sentence of up to one (1) year, a fine of not less than \$500, and at least 25 hours of community service (preferably to be performed for an alcohol abuse prevention program). See 235 ILCS 5/6-16(a), 6-20(c); see also Will Cnty. Code of Ordinances §§ 110.073(C)-(D), 110.999; Univ. Park Code of Ordinances §§ 609-02(b), 609-99(a).

Any person who provides a fake ID to any person under age 21 is guilty of a Class A misdemeanor, the sanctions for which include the following: a prison sentence of up to one (1) year and a fine of not less than \$500. See 235 ILCS 5/6-16(a), 6-20(c); see also Will Cnty. Code of Ordinances §§ 110.073(D), 110.999; Univ. Park Code of Ordinances §§ 609-02(a), 609-99(a).

Driving While Under the Influence

It is illegal for a person to drive, or be in actual physical control of, any vehicle within Illinois while:

- (1) under the influence of alcohol;
- (2) under the influence of cannabis;
- (3) under the influence of any other drug or drugs (illicit or otherwise); or
- (4) under the influence of any combination of the substances listed above.

See 625 ILCS 5/11-501(a).

A driver is legally considered to be “under the influence” if he or she has a blood-alcohol content (“BAC”) of .08 or more, has a tetrahydrocannabinol (cannabis) concentration (“THC”) of either 5 nanograms or more per milliliter of whole blood, has used any other controlled substance, or is impaired by medication to a degree that renders the person incapable of safely driving. See 625 ILCS 5/11-501(a), 11-501.2(a).

The sanctions for driving while under the influence (a “DUI” offense) in Illinois vary depending on the circumstances of the arrest and conviction of the driver. Such relevant, aggravating circumstances may include the driver’s age, the driver’s BAC, whether the driver was transporting a child (*i.e.*, someone under age 16), whether the driver has any previous DUI convictions, and whether the driver injures anyone. See 625 ILCS 5/11-501(c). If the circumstances of the arrest and conviction for a DUI offense results in felony charges, instead of misdemeanor charges, the offense is classified as an “Aggravated DUI.” See 625 ILCS 5/11-501(d). Possible penalties and sanctions for a DUI or Aggravated DUI offense conviction are listed in **SCHEDULE A** attached hereto.

A person under age 21 convicted of a DUI offense, in addition to all other applicable sanctions, may be ordered by a judge, as a condition of probation or discharge, to participate in the Youthful Intoxicated Driver’s Visitation Program. See 625 ILCS 5/11-501.7. The offender will undergo a comprehensive counseling session prior to visitation to determine if the program is appropriate. If approved, the offender may be sent on a supervised visit to a location where the results of alcoholism or DUI crashes may be viewed.

Illinois has also enacted a “Zero Tolerance Law” with respect to drivers under age 21 found to have any trace of alcohol in their systems (*i.e.*, a BAC between .00 and .08). See 625 ILCS 5/11-501.8; see *also* 625 ILCS 5/6-208.2. Under that law, a law enforcement officer may request a chemical test after a traffic stop and issuance of a citation for any offense, when the officer has probable cause to believe an underage driver has any trace of alcohol in his/her system. If the test(s) administered reveal a BAC of above .00, or if the underage driver refuses to submit to the requested testing, the law enforcement officer submits a sworn statement to the Illinois Secretary of State’s office and the offender’s driver’s license is suspended. Applicable sanctions for violating the Zero Tolerance Law are listed in **SCHEDULE B** attached hereto.

Other DUI-related offenses and penalties include:

- Knowingly permitting a driver under the influence to operate a vehicle (see 625 ILCS 5/6-304.1):
 - A Class A misdemeanor for which possible sanctions include a prison sentence of up to 1 year and a fine up to \$2,500
- Transporting or possessing alcoholic beverages (as either the driver or a passenger) in the passenger area of a motor vehicle other than in the original container and with the seal unbroken (see 625 ILCS 5/6-205, 6-206, 6-208, 11-502):
 - For drivers aged 21 and older:
 - First offense: Points assigned for a moving violation
 - Subsequent offense within 12 months: Suspension of driving privileges for 1 year
 - For drivers under age 21:
 - First offense: Suspension of driving privileges for 1 year
 - Subsequent offense: Revocation of driving privileges
- Using or possessing medicinal or recreational cannabis (as the driver) within any area of a motor vehicle other than possessing such cannabis in a sealed, odor-proof, child-resistant cannabis container that is inaccessible (see 625 ILCS 5/11-502.15(a), (b), (d)):
 - A Class A misdemeanor for which possible sanctions include a prison sentence of up to 1 year and a fine up to \$2,500
 - Revocation of any medical cannabis card held by the driver for a period of 2 years from the end of the sentence imposed
- Possessing medicinal or recreational cannabis (as a passenger) in the passenger area of a motor vehicle other than possessing such cannabis in a sealed, odor-proof, child-resistant cannabis container that is inaccessible (see 625 ILCS 5/11-502.15(c), (d)):
 - A Class A misdemeanor for which possible sanctions include a prison sentence of up to 1 year and a fine up to \$2,500
 - Revocation of any status as a medical cannabis caregiver, medical cannabis cultivation center agent, or medical cannabis dispensing organization agent held by the passenger for a period of 2 years from the end of the sentence imposed

State Drug Possession and Trafficking Laws

Under the Illinois Controlled Substances Act, it is unlawful for any person knowingly to possess a controlled substance. See 720 ILCS 570/402. A “controlled substance” under Illinois law is:

1. A drug, substance, immediate precursor, or synthetic drug listed in the Illinois Controlled Substances Act under:
 - a. Schedule I (720 ILCS 570/204),
 - b. Schedule II (720 ILCS 570/206),
 - c. Schedule III (720 ILCS 570/208),
 - d. Schedule IV (720 ILCS 570/210), and
 - e. Schedule V (720 ILCS 570/212); or
2. A drug or other substance, or immediate precursor, designated as a controlled substance by the Illinois Department of Human Services through administrative rule.

The term does not include alcoholic beverages or tobacco products. See 720 ILCS 570/102(f).

The possible sanctions for violating the Illinois Controlled Substances Act provisions regarding possession are listed in **SCHEDULE C** attached hereto.

Under the Illinois Controlled Substances Act, it is also unlawful for any person knowingly to manufacture or deliver, or possess with intent to manufacture or deliver, a controlled substance (other than methamphetamine) (sometimes hereinafter referred to as “drug trafficking”). See 720 ILCS 570/401. The possible sanctions for violating the Illinois Controlled Substances Act provisions regarding drug trafficking are listed in **SCHEDULE D** attached hereto.

Illinois passed the Methamphetamine Control and Community Protection Act (the “Methamphetamine Control Act”) as a separate statute to address the manufacture, distribution, and use of methamphetamine (a Schedule II controlled substance under the Illinois Controlled Substances Act). See 720 ILCS 646/1, 5. Methamphetamine is not only distributed and used in Illinois but also manufactured in the State, with the manufacture of methamphetamine being extremely and uniquely harmful to children, families, communities, businesses, the economy, and the environment in Illinois. See 720 ILCS 646/5.

The Methamphetamine Control Act makes it unlawful knowingly to: (1) possess methamphetamine; (2) engage in the delivery (*i.e.*, “trafficking”) or possession with intent to traffic methamphetamine; and (3) participate in the manufacture of methamphetamine with the intent that methamphetamine or a substance containing methamphetamine be produced. See 720 ILCS 646/15, 55, 60. The possible sanctions associated with violating those provisions of the Methamphetamine Control Act are listed in **SCHEDULE E** attached hereto.

Federal Drug Possession and Trafficking Laws

Under the Federal Controlled Substances Act, it is illegal for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner, while acting in the course of his professional practice, or

except as otherwise authorized by Federal law. See 21 U.S.C. § 844. A “controlled substance” under Federal law is a drug or other substance, or immediate precursor, included in Schedules I, II, III, IV, and V under section 812. See 21 U.S.C. §§ 802(6), 812 (Sch. I-V); see *also* 21 C.F.R. §§ 1308.11-1308.15. The term does not include alcoholic beverages or tobacco products. See 21 U.S.C. § 802(6). The sanctions for violating that provision of the Federal Controlled Substances Act are listed in **SCHEDULE F** attached hereto.

Under the Federal Controlled Substances Act, is it also unlawful for any person knowingly or intentionally to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance (*i.e.*, “drug trafficking”). See 21 U.S.C. § 841. The sanctions for violating the Federal Controlled Substances Act provisions regarding drug trafficking are listed in **SCHEDULE G** attached hereto.

Further, any person who engages in illegal drug trafficking on or within 1,000 feet of the GovState campus is subject to twice the maximum sanction under the Federal Controlled Substances Act as set forth in **SCHEDULE G**. See 21 U.S.C. § 860(a).

Federal, State, and Local Drug Paraphernalia Laws

Under the Federal Controlled Substances Act, it is unlawful for any person to sell or offer for sale drug paraphernalia. See 21 U.S.C. § 863. If convicted of such conduct, the sanctions include a prison term of up to 3 years and a monetary fine.

Under the Illinois Drug Paraphernalia Control Act, any person who keeps for sale, offers for sale, or sells any item of drug paraphernalia commits a Class 4 felony for which a minimum fine of \$1,000 for each such item shall be imposed. Any person 18 years of age or older who sells or delivers for any commercial consideration any item of drug paraphernalia to a person under 18 years of age is guilty of a Class 3 felony. See 720 ILCS 600/3.

Under the Will County Code of Ordinances, it is a violation for any person to knowingly possess an item of drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled substance into the human body, or in preparing cannabis or a controlled substance for that use. See Will Cnty. Code of Ordinances § 132.03. The sanction for violating that Ordinance is a fine between \$250-\$1,000, plus the County administrative fee. See *id.* at § 132.99.

HEALTH RISKS ASSOCIATED WITH DRUG AND ALCOHOL USE AND ABUSE

The abuse or illegal use of alcohol and the illegal use of controlled substances can seriously injure the health of an individual, adversely impair the performance of their duties and their academic achievements, and endanger the safety and well-being of others. The health risks posed by the use of illicit drugs, and alcohol, can range anywhere from headaches and confusion to cardiac issues, even death.

Substance abuse may involve not only controlled substances and illegal drugs, but also alcohol and other substances that pose a health risk. When controlled substances are used chronically or in conjunction, the health risks to the user's physical and mental wellbeing are multiplied, sometimes exponentially.

Alcohol: Alcohol is commonly abused. In the short term, alcohol impairs judgment, slurs speech, distorts vision and hearing, affects coordination, and causes blackouts. In the long term, alcohol abuse can lead to liver and neurological damage, physical dependence, severe memory issues, and even death.

Cannabis: Cannabis impairs short-term memory and comprehension, which affects the ability to perform complex tasks. It slows reaction time and can cause heightened anxiety. Prolonged use of cannabis can lead to a suppressed immune system, bronchitis, and both psychological and physical dependence.

Hallucinogens: Hallucinogens such as LSD or MDMA cause intense distortions in perception, confusion, and sometimes lead to panic attacks or psychosis. Chronic use or an overdose of hallucinogenic drugs can cause heart or lung failure, insomnia, paranoia, and even death.

Depressants: Depressants, including alcohol, cause disorientation and other behaviors akin to drunkenness. Intense or chronic use of depressants lead to shallow breathing, decreased motor control, coma, and death.

Stimulants: Stimulants such as cocaine and amphetamines decrease appetite, increase heart rate and blood pressure, and cause paranoia or anxiety. Long term use of such stimulants is psychologically and physically addictive, leading to kidney and liver damage, seizures, or strokes.

It is important to note that even legal stimulants like nicotine and caffeine can have negative effects and pose serious health risks. Prolonged use of nicotine products especially, leads to increased risks of cancer, lung and respiratory problems, and heart disease.

Narcotics: Narcotics such as heroin, methadone, opioids, or opiates increase the potential for physical or psychological dependence, leading to respiratory issues, seizures, an increased risk of contracting HIV/AIDS, and death.

REFERRAL SOURCES FOR DRUG AND ALCOHOL PROGRAMS AVAILABLE TO EMPLOYEES

Drug abuse and/or alcohol abuse assessment, counseling and referral to treatment or rehabilitation or re-entry programs are available to employees through the State of Illinois' Employee Assistance Program ("EAP"). The EAP counselor will assist employees in identifying the appropriate services/facilities available to them under the employee's medical insurance plan.

Information on the EAP is available through:

- <https://cms.illinois.gov/benefits/stateemployee/employeeassistanceprogram.html>

GovState also encourages employees to reach out to the following resources:

- 24-Hour Addiction and Alcohol Hotline at **844.244.3171**
- Illinois Helpline for Opioids and Other Substances at **833.234.6343** or text “**HELP**” to **833234**
 - Visit the Helpline’s website for additional information: <https://helplineil.org/app/home>
 - See also: <https://isp.illinois.gov/CriminalInvestigations/OpioidMisuse>
- SAMHSA’s National Helpline at **800.662.HELP (4357)**
 - Visit the Helpline’s website for additional information: <https://www.samhsa.gov/find-help/national-helpline>

In the event of an alcohol or drug related emergency, employees are urged to contact emergency services, whether on or off campus, by calling **911**.

ADDITIONAL INFORMATIONAL RESOURCES

Additional information about the State sanctions associated with driving while under the influence of alcohol or other intoxicants is available from the Office of the Illinois Secretary of State (<https://www.ilsos.gov/>), including the following resources:

Illinois “DUI Fact Book” (2025)

- https://www.ilsos.gov/publications/pdf_publications/dsd_a118.pdf

Driving under the Influence (DUI)

- https://www.ilsos.gov/departments/drivers/traffic_safety/DUI/home.html

Zero Tolerance/Underage Drinking

- https://www.ilsos.gov/departments/drivers/traffic_safety/DUI/uselose.html

Information about efforts by the State of Illinois to combat the ongoing opioid epidemic are available from the Illinois Department of Public Health (<https://dph.illinois.gov/>), including the following sources:

“State of Illinois Opioid Action Plan” Page

- <https://dph.illinois.gov/topics-services/opioids/il-opioid-action-plan.html>

“Opioids” Topic Page

- <https://dph.illinois.gov/topics-services/opioids.html>

Information about “date rape” drugs is available from the Illinois State Police (<https://isp.illinois.gov/>) at:

Date Rape Drugs

- <https://isp.illinois.gov/CriminalInvestigations/DateRapeDrugs>

Additional, detailed information about the health effects and federal trafficking sanctions for various controlled substances is available from the Drug Enforcement Administration of the U.S. Department of Justice (<https://www.dea.gov/>), including the following resources:

“Drugs of Abuse” (2024 Edition)

- <https://www.dea.gov/documents/2024/2024-12/2024-12-12/drugs-abuse-2024>

Drug Fact Sheet: Stimulants

- <https://www.dea.gov/factsheets/stimulants>
- <https://www.dea.gov/sites/default/files/2025-01/Stimulants-Drug-Fact-Sheet.pdf>

Drug Fact Sheet: Depressants

- <https://www.dea.gov/factsheets/depressants>
- <https://www.dea.gov/sites/default/files/2025-01/Depressants-2024-Drug-Fact-Sheet.pdf>

Drug Fact Sheet: Synthetic Opioids

- <https://www.dea.gov/factsheets/synthetic-opioids>
- <https://www.dea.gov/sites/default/files/2025-01/Synthetic-Opioids-Drug-Fact-Sheet.pdf>

Drug Fact Sheet: Hallucinogens

- <https://www.dea.gov/factsheets/hallucinogens>
- <https://www.dea.gov/sites/default/files/2025-01/Hallucinogens-Drug-Fact-Sheet.pdf>

Drug Fact Sheet: Inhalants

- <https://www.dea.gov/factsheets/inhalants>
- <https://www.dea.gov/sites/default/files/2025-01/Inhalants-Drug-Fact-Sheet.pdf>

Drug Fact Sheet: Steroids

- <https://www.dea.gov/factsheets/steroids>
- <https://www.dea.gov/sites/default/files/2025-01/Steroids-Drug-Fact-Sheet.pdf>

Drug Fact Sheet: Ketamine

- <https://www.dea.gov/factsheets/ketamine>
- <https://www.dea.gov/sites/default/files/2025-01/Ketamine-Drug-Fact-Sheet.pdf>

Additional, detailed information about many different controlled substances and their effects on human health is available from the National Institute on Drug Abuse (“NIDA”) (<https://nida.nih.gov/>), including the following resources:

“Research Topics” Page

- <https://nida.nih.gov/research-topics>

“Drugs A to Z” Page

- <https://nida.nih.gov/research-topics/drugs-a-to-z>

Drugged Driving

- <https://nida.nih.gov/research-topics/drugged-driving>

- <https://nida.nih.gov/publications/drugfacts/drugged-driving>

Tobacco/Nicotine and Vaping

- <https://nida.nih.gov/research-topics/tobacconicotine-vaping>
- <https://nida.nih.gov/publications/drugfacts/cigarettes-other-tobacco-products>

Over-the-Counter Medicines

- <https://nida.nih.gov/research-topics/over-counter-medicines>
- <https://nida.nih.gov/publications/drugfacts/over-counter-medicines>

SCHEDULE A

ILLINOIS SANCTIONS FOR DUI CONVICTIONS

Conviction	Classification	Charge	Add'l Circumstances	Sanctions
First	DUI	Class A misdemeanor	None	Revocation of driving privileges: ≥ 1 year (≥ 2 years if driver is under age 21); Suspension of vehicle registration; Imprisonment: ≤ 1 year; Fine: ≤ \$2,500
First	DUI	Class A misdemeanor	Committed with a BAC of .16 or more	Additional Sanctions -- Mandatory Fine: ≥ \$500; Mandatory Community Service: ≥ 100 hours
First	DUI	Class A misdemeanor	Committed while transporting a child	Additional Sanctions -- Mandatory Fine: ≥ \$1,000; Mandatory Community Service: 25 days in a program benefiting children
First	Aggravated DUI	Class 4 felony	Committed while transporting a child and involved in a crash that resulted in bodily harm to the child	Revocation of driving privileges: ≥ 1 year; Imprisonment: 1-3 years; Fine: ≤ \$25,000; Additional Sanctions -- Mandatory Fine: ≥ \$2,500; Mandatory Community Service: 25 days in a program benefiting children
First	Aggravated DUI	Class 4 felony	Involved in a crash that resulted in great bodily harm to another person	Revocation of driving privileges: ≥ 2 years; Imprisonment: 1-12 years; Fine: ≤ \$25,000
First	Aggravated DUI	Class 4 felony	Committed when knew or should have known that vehicle was not covered by a liability insurance policy	Revocation of driving privileges: ≥ 1 year; Imprisonment: 1-3 years; Fine: ≤ \$25,000
First	Aggravated DUI	Class 2 felony	Involved in a crash that resulted in the death of another person or persons	Revocation of driving privileges: ≥ 2 years from date of release from prison; Imprisonment: 3-14 years (if 1 person died), 6-28 years (if more than 1 person died) Fine: ≤ \$25,000

Conviction	Classification	Charge	Add'l Circumstances	Sanctions
Second	DUI	Class A misdemeanor	None	Revocation of driving privileges: ≥ 1 year (≥ 5 years if 2nd conviction within 20 years of 1st conviction); Suspension of vehicle registration; Imprisonment: ≥ 5 days OR 240 hours Community Service; Fine: ≤ \$2,500
Second	DUI	Class A misdemeanor	Committed with a BAC of .16 or more	Additional Sanctions -- Mandatory Imprisonment: 2 days; Mandatory Fine: ≥ \$1,250
Second	Aggravated DUI	Class 4 felony	Committed while transporting a child	Revocation of driving privileges: ≥ 1 year (≥ 5 years if 2nd conviction within 20 years of 1st conviction); Imprisonment: 1-3 years; Fine: ≤ \$25,000
Second	Aggravated DUI	Class 2 felony	Committed while transporting a child and involved in a crash that resulted in bodily harm to the child	Revocation of driving privileges: ≥ 1 year (≥ 5 years if 2nd conviction within 20 years of 1st conviction); Imprisonment: 3-7 years; Fine: ≤ \$25,000; Additional Sanctions -- Mandatory Fine: ≥ \$5,000; Mandatory Community Service: 25 days in a program benefiting children
Third	Aggravated DUI	Class 4 felony	None	Revocation of driving privileges: ≥ 10 years; Suspension of vehicle registration; Imprisonment: 1-3 years; Fine: ≤ \$25,000
Third	Aggravated DUI	Class 2 felony	Committed with a BAC of .16 or more	Revocation of driving privileges: ≥ 10 years; Suspension of vehicle registration; Imprisonment: 3-7 years; Fine: ≤ \$25,000; Additional Sanctions -- Mandatory Imprisonment: 90 days; Mandatory Fine: ≥ \$2,500
Fourth	Aggravated DUI	Class 2 felony	None	Revocation of driving privileges: Life; Suspension of vehicle registration; Imprisonment: 3-7 years; Fine: ≤ \$25,000

SCHEDULE B

ILLINOIS “ZERO TOLERANCE LAW” SANCTIONS

Zero Tolerance While Driving	
First Conviction	6-month suspension of driving privileges for a BAC of more than .00 or refusal or failure to complete a BAC test
Second Conviction	1-year suspension of driving privileges for a BAC of more than .00 or refusal or failure to complete a BAC test
Third Conviction	Revocation of driving privileges for a BAC of more than .00 or refusal or failure to complete a BAC test
Zero Tolerance While Driving with Open or Pending Revocation	
First Conviction	Revocation of driving privileges for a BAC of more than .00 or refusal or failure to complete a BAC test
Second Conviction	Revocation of driving privileges for a BAC of more than .00 or refusal or failure to complete a BAC test
Third Conviction	Revocation of driving privileges for a BAC of more than .00 or refusal or failure to complete a BAC test

SCHEDULE C

ILLINOIS SANCTIONS FOR POSSESSION OF ILLICIT DRUGS

Controlled Substances: Heroin; Cocaine; Morphine; Lysergic Acid Diethylamide (LSD); MDA; MDMA; MDEA; BZP; MMDA; N-hydroxy MDA; 2, 5-DMA; 4-bromo-2, 5-DMA; 2CB/Nexus; PMA; 5-methoxy-3,4-methylenedioxy-amphetamine; DOET			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 15 but < 100 grams	4-15 years	≤ \$200,000
	≥ 100 but < 400 grams	6-30 years	≤ \$200,000 or full street value (whichever is greater)
	≥ 400 but < 900 grams	8-40 years	
	≥ 900 grams	10-50 years	
Controlled Substances: Peyote; Barbituric acid derivative; Amphetamine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 200 grams	4-15 years	≤ \$200,000
Controlled Substances: Pentazocine, Methaqualone, Phencyclidine, or Ketamine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 30 grams	4-15 years	≤ \$200,000
Controlled Substances: Narcotic Drugs in Schedules I and II not otherwise listed above			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 200 grams	4-15 years	≤ \$200,000
Controlled Substances: Anabolic Steroids			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
1st Offense: Class C misdemeanor	Any	≤ 30 days	\$75-\$1,500
2nd Offense (within 2 years of prior conviction): Class B misdemeanor	Any	≤ 6 months	\$75-\$1,500
Controlled Substances: Any (other than methamphetamine) not listed above			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 4 felony	Any	1-3 years	≤ \$25,000

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Controlled Substance: Cannabis			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Decriminalized (IL residents over 21)	≤ 30 grams of cannabis flower; ≤ 500 milligrams of THC contained in cannabis-infused product; and ≤ 5 grams of cannabis concentrate	None	None
Decriminalized (non-IL residents over 21)	≤ 15 grams of cannabis flower; ≤ 250 milligrams of THC contained in cannabis-infused product; and ≤ 2.5 grams of cannabis concentrate	None	None
Civil law violation (except as expressly decriminalized)	≤ 10 grams	None	\$100-\$200
Class B misdemeanor	> 10 but ≤ 30 grams	≤ 6 months	\$75-\$1,500
1st offense: Class A misdemeanor	> 30 but ≤ 100 grams	< 1 year	\$75-\$2,500
Subsequent Office: Class 4 felony	> 30 but ≤ 100 grams	1-3 years	\$75-\$25,000
1st offense: Class 4 felony	> 100 but ≤ 500 grams	1-3 years	\$75-\$25,000
Subsequent Office: Class 3 felony	> 100 but ≤ 500 grams	2-5 years	\$75-\$25,000
Class 3 felony	> 500 but ≤ 2,000 grams	2-5 years	\$75-\$25,000
Class 2 felony	> 2,000 but ≤ 5,000 grams	3-7 years	\$75-\$25,000
Class 1 felony	> 5,000 grams	4-15 years	\$75-\$25,000

SCHEDULE D

ILLINOIS SANCTIONS FOR TRAFFICKING ILLICIT DRUGS

Controlled Substances: Heroin; Cocaine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 1 but < 15 grams	4-15 years	≤ \$250,000
Class X felony	≥ 15 but < 100 grams	6-30 years	≤ \$500,000
	≥ 100 but < 400 grams	9-40 years	≤ \$500,000 or full street value (whichever is greater)
	≥ 400 but < 900 grams	12-50 years	
	≥ 900 grams	15-60 years	
Controlled Substances: Morphine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 1 but < 15 grams	4-15 years	≤ \$250,000
Class X felony	≥ 15 but < 100 grams	6-30 years	≤ \$500,000
	≥ 100 but < 400 grams	9-40 years	≤ \$500,000 or full street value (whichever is greater)
	≥ 400 but < 900 grams	12-50 years	
	≥ 900 grams	15-60 years	
Controlled Substances: Lysergic Acid Diethylamide (LSD); MDA; MDMA; MDEA; BZP; MMDA; N-hydroxy MDA; 2, 5-DMA; 4-bromo-2, 5-DMA; 2CB/Nexus; PMA; 5-methoxy-3,4-methylenedioxy-amphetamine; DOET			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 5 but < 15 grams	4-15 years	≤ \$250,000
Class X felony	≥ 15 but < 100 grams	6-30 years	≤ \$500,000
	≥ 100 but < 400 grams	9-40 years	≤ \$500,000 or full street value (whichever is greater)
	≥ 400 but < 900 grams	12-50 years	
	≥ 900 grams	15-60 years	
Controlled Substance: Fentanyl			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 2 felony	> 5	3-7 years	≤ \$200,000
Class 1 felony	≥ 5 but < 15 grams	4-15 years	≤ \$250,000
Class X felony	≥ 15 but < 100 grams	6-30 years	≤ \$500,000
	≥ 100 but < 400 grams	9-40 years	
	≥ 400 but < 900 grams	12-50 years	
	≥ 900 grams	15-60 years	
Controlled Substances: Peyote; Barbituric acid derivative; Amphetamine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 50 but < 200 grams	4-15 years	≤ \$250,000
Class X felony	≥ 200 grams	6-30 years	≤ \$500,000
Controlled Substances: Pentazocine, Methaqualone, Phencyclidine, or Ketamine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 10 but < 30 grams	4-15 years	≤ \$250,000
Class X felony	≥ 30 grams	6-30 years	≤ \$500,000

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Controlled Substances: Hydrocodone; Dihydrocodeine; Oxycodone			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	≥ 50 but < 100 grams	4-15 years	≤ \$250,000
Class X felony	≥ 100 grams	6-30 years	≤ \$500,000
Controlled Substances: Narcotic Drugs in Schedules I and II not otherwise listed above			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 2 felony	< 50	3-7 years	≤ \$200,000
Class 1 felony	≥ 50 but < 100 grams	4-15 years	≤ \$250,000
Class X felony	≥ 200 grams	6-30 years	≤ \$500,000
Controlled Substances: Any classified in Schedules I or II (other than methamphetamine) not listed above			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 3 felony	Any	2-5 years	≤ \$150,000
Controlled Substances: Any classified in Schedule III not listed above			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 3 felony	Any	2-5 years	≤ \$125,000
Controlled Substances: Any classified in Schedule IV not listed above			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 3 felony	Any	2-5 years	≤ \$100,000
Controlled Substances: Any classified in Schedule V not listed above			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 3 felony	Any	2-5 years	≤ \$75,000
Controlled Substance: Cannabis			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class B misdemeanor	≤ 2.5 grams	≤ 6 months	\$75-\$1,500
Class A misdemeanor	> 2.5 but ≤ 10 grams	< 1 year	\$75-\$2,500
Class 4 felony	> 10 but ≤ 30 grams	1-3 years	\$75-\$25,000
Class 3 felony	> 30 but ≤ 500 grams	2-5 years	≤ \$50,000
Class 2 felony	> 500 but ≤ 2,000 grams	3-7 years	≤ \$100,000
Class 1 felony	> 2,000 but ≤ 5,000 grams	4-15 years	≤ \$150,000
Class X felony	> 5,000 grams	6-30 years	≤ \$200,000

SCHEDULE E

ILLINOIS SANCTIONS FOR POSSESSION, TRAFFICKING & MANUFACTURE OF METHAMPHETAMINE

Possession of Methamphetamine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 3 felony	< 5 grams	2-5 years	≤ \$25,000
Class 2 felony	≥ 5 but < 15 grams	3-7 years	≤ \$25,000
Class 1 felony	≥ 15 but < 100 grams	4-15 years	≤ \$25,000
Class X felony	≥ 100 but < 400 grams	6-30 years	≤ \$100,000
	≥ 400 but < 900 grams	8-40 years	≤ \$200,000
	≥ 900 grams	10-50 years	≤ \$300,000
Trafficking of Methamphetamine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 2 felony	< 5 grams	3-7 years	≤ \$25,000
Class 1 felony	≥ 5 but < 15 grams	4-15 years	≤ \$25,000
Class X felony	≥ 15 but < 100 grams	6-30 years	≤ \$100,000 or full street value (whichever is greater)
	≥ 100 but < 400 grams	9-40 years	≤ \$200,000 or full street value (whichever is greater)
	≥ 400 but < 900 grams	12-50 years	≤ \$300,000 or full street value (whichever is greater)
	≥ 900 grams	15-60 years	≤ \$400,000 or full street value (whichever is greater)
Manufacture of Methamphetamine			
Charge	Quantity	Sanction: Imprisonment	Sanction: Fine
Class 1 felony	< 15 grams	4-15 years	≤ \$25,000
Class X felony	≥ 15 but < 100 grams	6-30 years	≤ \$100,000 or full street value (whichever is greater)
	≥ 100 but < 400 grams	9-40 years	≤ \$200,000 or full street value (whichever is greater)
	≥ 400 but < 900 grams	12-50 years	≤ \$300,000 or full street value (whichever is greater)
	≥ 900 grams	15-60 years	≤ \$400,000 or full street value (whichever is greater)

SCHEDULE F

FEDERAL SANCTIONS FOR POSSESSION OF ILLICIT DRUGS

First Conviction	Up to 1 year in prison and a minimum fine of \$1,000, or both
Second Conviction	Not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500
Subsequent Conviction(s)	Not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000
Additional Fine	The amount of the reasonable costs of the investigation and prosecution of the offense

SCHEDULE G

FEDERAL SANCTIONS FOR TRAFFICKING SCHEDULE I, II, III, IV & V DRUGS (except marijuana)

Drug/Schedule	Quantity	Sanctions	Quantity	Sanctions
Cocaine (Schedule II)	500–4999 grams mixture	First Offense: Not less than 5 yrs., and not more than 40 yrs. If death or serious injury, then not less than 20 or more than life. Fine of not more than \$5 million if an individual; \$25 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs., and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		500–4999 grams mixture	
Fentanyl (Schedule II)	40–399 grams mixture		28–279 grams mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		40–399 grams mixture	
Heroin (Schedule I)	100–999 grams mixture		10–99 grams mixture	
LSD (Schedule I)	1–9 grams mixture		100–999 grams mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture	Second Offense: Not less than 10 yrs., and not more than life. If death or serious injury, then life imprisonment. Fine of not more than \$8 million if an individual; \$50 million if not an individual.	1–9 grams mixture	Second Offense: Not less than 20 yrs., and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		5–49 grams pure or 50–499 grams mixture	
				2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.

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Drug/Schedule	Quantity	Sanctions
Other Schedule I & II drugs	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: 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 drug product containing Gamma Hydroxybutyric Acid	Any amount	
Flunitrazepam (Schedule IV)	≥1 gram	
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual; \$2.5 million if not an individual. Second Offense: 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.
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual; \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual; \$2 million if other than an individual.
Flunitrazepam (Schedule IV)	<1 gram	
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual; \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual; \$500,000 if not an individual.

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FEDERAL SANCTIONS FOR TRAFFICKING CANNABIS

Drug/Schedule	Quantify	1st Offense	2nd Offense*
Marijuana (Schedule I)	≥ 1,000 kgs marijuana mixture; or ≥ 1,000 marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, then 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.	Not less than 20 yrs. or more than life. If death or serious bodily injury, then life imprisonment. Fine not more than \$20 million if an individual; \$75 million if other than an individual.
Marijuana (Schedule I)	100-999 kgs marijuana mixture; or 100-999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, then not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, then life imprisonment. Fine not more than \$20 million if an individual; \$75 million if other than an individual.
Marijuana (Schedule I)	50-99 kgs marijuana mixture; or 50-99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, then not less than 20 yrs., or more than life. Fine \$1 million if an individual; \$5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, then life imprisonment. Fine \$2 million if an individual; \$10 million if other than an individual.
Hashish (Schedule I)	> 10 kgs		
Hashish Oil (Schedule I)	> 1 kg		
Marijuana (Schedule I)	< 50 kgs marijuana (but does not include 50 or more marijuana plants regardless of weight); or 1-49 marijuana plants	Not less than 5 yrs. Fine not more than \$250,000; \$1 million if other than an individual	Not less than 10 yrs. Fine \$500,000 if an individual; \$2 million if other than individual.
Hashish (Schedule I)	≤ 10 kgs		
Hashish Oil (Schedule I)	≤ 1 kg		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.