

Illegal Drug and Alcohol Abuse Prevention Policy

Reviewed and updated in July 2021.

The Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, require that institutions of higher education adopt, implement, and administer in good faith a program to prevent the unlawful possession, use, or distribution of illegal drugs and alcohol, the misuse of prescription drugs, and the abuse of alcohol by students and employees.

This policy shall be interpreted consistently with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act.

Standards of Conduct

Students and employees (faculty, staff or any other individual receiving a salary, wage, or other compensation) of Midwestern Career College (MCC) are expected to abide by local, state, and federal laws relating to the use of alcohol and other drugs, including State of Illinois underage drinking laws. The college prohibits the unlawful manufacture, possession, use, or distribution of illicit drugs and alcohol and the misuse of prescription drugs by students and employees while on college property, while representing the college, or while participating in college-sponsored activities, regardless of whether they are on or off the college property. The college supports the enforcement of all Federal and State drug laws. MCC reserves the right to make referrals to law enforcement authorities and may permit law enforcement officials to conduct searches of college facilities.

While on campus, at clinical/externship assignment, or at any college-sponsored event, faculty, staff, students, and visitors may not:

- possess, use, deliver, sell, or distribute any illegal substance;
- possess or consume alcoholic beverages (unless allowed in advance in writing by college administration);
- be under the influence of alcohol or illegal substances.

Use of Recreational Cannabis (Marijuana)

Effective January 1, 2020 recreational cannabis (marijuana) has been legalized in the state of Illinois pursuant to the Cannabis Regulation and Tax Act. However, cannabis (marijuana) remains an illegal substance under federal law and state law does not supersede federal law in this area.

MCC prohibits the presence, use and distribution of cannabis (marijuana) on any of its campuses and office spaces or as part of any college activity. In addition, the college's marijuana prohibition applies to both recreational and medical use. That means having a medical marijuana registry identification card under the Illinois Compassionate Use of Medical Cannabis Program Act does not allow students, employees, or visitors to use or possess marijuana on college property (this includes but is not limited to outdoor spaces, classrooms, and office and community spaces) or as part of any college activity.

Authorized Use of Prescribed Medicine

Students or employees undergoing prescribed medical treatment with any drug or controlled substance which may interfere with student or work activity must report such treatment to the Campus Manager, Academic Dean or Director of Academic Operations; students on clinical/externship assignment – to the Externship Department; staff and faculty members – to the immediate supervisor and HR Director. Prescribed medicine should be kept in its original container, which identifies the drug, date of prescription, prescribing doctor, and the person for whom the drug is prescribed.

MCC Disciplinary Sanctions

MCC will not tolerate alcohol- or substance-impaired students, employees, or visitors while on campus, clinical/externship assignment, or at any college-sponsored event, regardless of the legality or illegality of the intoxicating substance.

In appropriate circumstances, the college reserves the right to investigate possible violations of this policy. Appropriate circumstances may include but are not limited to 1) during the job or program application process; 2) as part of a routine random-testing program; 3) after an employee or a student is involved in an accident on campus or during a college-sponsored event 4) after drug or alcohol-related treatment and/or disciplinary proceedings; and 5) when there is a reasonable suspicion (defined below) that an employee, a student, or a visitor is under the influence of a controlled substance or alcohol.

“Reasonable suspicion” is established by the individual’s appearance, behavior, speech, or body odor that would lead a reasonable person to suspect that the individual may be under the influence of a controlled substance or alcohol. A reasonable suspicion can be established by an MCC employee or a faculty member.

MCC may require an individual to undergo a drug or alcohol panel, however the testing is not required to initiate disciplinary action. Disciplinary action may include request to leave campus or a college-sponsored event immediately, verbal, or written warning, suspension, mandatory counselling, or dismissal/termination. Students who fail drug or alcohol test while on the clinical rotation will be immediately withdrawn from the clinical course and, consequently, from their program of study.

If an individual refuses to cooperate with an investigation (which may include medical testing for alcohol or drug use, the inspection of individual’s desk, lockers, and/or personal property while on campus or a college-sponsored event) MCC will discipline the individual up to and including dismissal/termination.

Penalties and Sanctions Imposed by Federal, State, and Local Laws

Students and employees should be aware that substance abuse carries legal consequences imposed by local, state, and federal laws, which may include imprisonment, fines, and/or loss of property.

State Law - Alcohol

In Illinois, it is against the law to sell or deliver alcohol to anyone under 21 or to any intoxicated person. Violations can result in fines of up to \$1,000 and one year in jail. It is also illegal for a person under 21 to

present false identification in an attempt to purchase alcohol. Substantial penalties exist in Illinois for the operation of a motor vehicle by a driver with a blood or breath alcohol concentration of .08 or greater. Arrests are also possible at lower alcohol levels if driving is impaired. The first offense can result in a \$1,000 fine, incarceration for up to one year, and suspension or revocation of the offender's driver's license. Subsequent offenses entail penalties of significantly greater severity. Transporting open alcohol containers in a motor vehicle is also punishable under Illinois law.

✓ **See Appendix A for Illinois Sanctions for Violation of Alcohol Control Statutes.**

Underage Drinking

The consumption of alcohol by any person under 21 years of age is illegal. [235 ILCS 5/6-20]. Illinois law prohibits a person under the age of 21 from purchasing, accepting, possessing, or consuming alcoholic beverages. Illinois Laws Regarding Possession of Alcohol by Person Under 21 Years of Age can be found here: www.illinois.gov/ilcc/Education/Pages/Under21Laws

False ID's

Persons under twenty-one who present or offer false evidence for purposes of obtaining or purchasing alcohol may be jailed for up to one year and fined \$2,500. [235 ILCS 5/6-16]

Possession by a Minor

Persons under twenty-one who possess alcohol on or in any street or public place may be jailed for up to one year and fined \$2,500. [235 ILCS 5/6-16]

Social Host

As of January 1, 2013, Illinois House Bill 1554 places greater accountability on individuals who permit, allow or host gatherings involving alcohol. An individual shall be guilty of a Class A misdemeanor (and face a fine of \$500 minimum) for permitting individuals under the age of 21 to possess or consume alcohol at their residence or on their property – even if the gathering is BYOB. When the violation directly or indirectly results in great bodily harm or death to any person, the person who committed the violation shall be guilty of a Class 4 felony. A social host will be protected from criminal prosecution (i.e., given amnesty) if they request assistance from the police to remove the underage guest who refuses to stop drinking or to end the gathering when guests will not comply. This request for police assistance must be made before any other person makes a formal complaint to law enforcement about the gathering. [See the full text of the law.](#)

Illegal Transportation

It is illegal to transport alcoholic beverages in the passenger area of a vehicle. No matter whom the alcohol belongs to, everyone in the vehicle can be charged with illegal transportation. If you are driving the vehicle, your driving privileges will be suspended for 12 months for the first offense. A second offense will result in the revocation of your driving privileges and vehicle registration. [625 ILCS 5/11-502]

Providing Alcohol to Minors

Illinois law provides for a prison term up to one year and for a fine of not less than \$500 for knowingly providing alcohol to persons under twenty-one. [235 ILCS 5/6-16]

Driving Under the Influence

Driving while under the influence of alcohol, drugs, or any combination thereof is against Illinois law. [625 ILCS 5/6-201]. Blood-Alcohol Level (BAL) is the percent of alcohol present in the blood. It is illegal to operate a vehicle in Illinois with a BAL above .00 for drivers under age 21 and at/above .08 for drivers age 21 and over. Aside from the loss of driving privileges, possible fines and jail time, other consequences caused by drinking and driving may include high insurance costs, mandatory alcohol evaluation and treatment, court and attorney fees and negative long-term effects on your driving record and job opportunities.

City of Chicago Alcohol Sanctions

Under the Chicago Municipal Code, it is unlawful for any person to drink any alcoholic liquor on any public way or in a motor vehicle upon a public way in the city of Chicago. Penalties include a fine of not less than \$100 nor more than \$500, and/or punishment by imprisonment for a period of six months.

State Law – Drugs

Except as otherwise provided in the Illinois Cannabis Regulation and Tax Act [410 ILCS 705], the possession, sale, and delivery of controlled substances is prohibited in Illinois under the Illinois Cannabis Control Act [720 ILCS 550/] and the Illinois Controlled Substances Act [720 ILCS 570/]. Under the Illinois Cannabis Control Act as amended by the Illinois Cannabis Regulation and Tax Act, courts can set penalties that increase in accordance with the amount of any substance containing cannabis in each case. In regard to both the Illinois Cannabis Control Act and the Illinois Controlled Substances Act, penalties vary with the amount of the drug confiscated, the type of drug found, the number of previous offenses held by the individual, and whether the individual intended to manufacture, deliver or possess with intent to deliver [720 ILCS 550/4-10] [720 ILCS 570/401-408].

- ✓ **See Appendix B for State of Illinois Classification of Controlled Dangerous Substances (CDS) and Associated Penalties.**

Federal Laws

Possession and delivery of controlled substances is prohibited by the United States Code, Uniform Controlled Substances Acts [21USC 801 and following]. Similar to Illinois law, individuals can be penalized on the quantity of confiscated drugs, the type(s) of drugs found, the number of previous offenses by the individual, and whether the individual intended to manufacture, sell, or use the drug. Any individual who knowingly possesses a controlled substance that is in an amount that, as specified by regulation of the Attorney General, is a personal use amount shall be liable to the United States for civil and criminal penalties.

- ✓ **See Appendix C for Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance.**

Health Risks Associated with Alcohol and Controlled Substance Abuse

Abuse of alcohol and controlled substances can seriously impair your health and your ability to work and study. It can also endanger the safety and well-being of others. Students and employees should be aware

that substance abuse causes serious health risks, including altered moods, altered behavior, sleep disorders, distorted senses, and permanent damage to the liver, heart, and central nervous system.

- ✓ **See Appendix D for a description of health risks associated with commonly abused substances.**

The misuse and abuse of alcohol, tobacco, illicit drugs, and prescription medications affect the health and well-being of millions of Americans. [SAMHSA's 2019 National Survey on Drug Use and Health](#) reports that approximately 19.3 million people aged 18 or older had a substance use disorder each year.

Alcohol

- Excessive alcohol use can increase a person's risk of stroke, liver cirrhosis, alcoholic hepatitis, cancer, and other serious health conditions that may result in death.
- Moderate to large amounts of alcohol severely impair the ability to learn and remember information.
- Consumption of alcohol may be a factor in the incidence of aggressive crimes, including acquaintance sexual assault and domestic violence.
- Excessive alcohol use can also lead to risk-taking behavior, including driving while impaired. Even small amounts of alcohol significantly impair the judgment and coordination required to drive a car, increasing the chances of having an accident. The [Centers for Disease Control and Prevention](#) reports that 29 people in the United States die in motor vehicle crashes that involve an alcohol-impaired driver daily.

Resources:

- [Underage Drinking: Myths vs. Facts](#)
- [Talking with your College-Bound Young Adult About Alcohol](#)
- [Alcoholism & Drug Addiction Stats in the United States](#)
- [National Association of State Alcohol and Drug Abuse Directors](#)
- [Department of Transportation Office of Drug & Alcohol Policy & Compliance](#)
- [Alcohol Policy Information Systems Database \(APIS\)](#)
- [National Institute on Alcohol Abuse and Alcoholism](#)

Opioids

- Opioids, sometimes called narcotics, are a type of drug. They include strong prescription [pain relievers](#), such as oxycodone, hydrocodone, fentanyl, and tramadol. The illegal drug [heroin](#) is also an opioid. Some opioids are made from the opium plant, and others are synthetic (man-made).
- Opioid use, specifically injection drug use, is a risk factor for contracting HIV, Hepatitis B, and Hepatitis C. The [CDC](#) reports that people who inject drugs accounted for 9 percent of HIV diagnoses in the United States in 2016.
- Other risks of using prescription opioids include dependence and addiction. Dependence means feeling withdrawal symptoms when not taking the drug. Addiction is a chronic brain disease that causes a person to compulsively seek out drugs, even though they cause harm. The risks of dependence and addiction are higher if you [misuse the medicines](#). Misuse can include taking too much medicine, taking someone else's medicine, taking it in a different way than you are supposed to, or taking the medicine to get high.

- If a woman is [misusing opioids during pregnancy](#) it can lead to a baby being born with addiction and going through withdrawal, known as neonatal abstinence syndrome (NAS).
- Opioid misuse may sometimes also lead to heroin use because some people switch from prescription opioids to heroin.
- Opioids can cause side effects such as drowsiness, mental fog, nausea, and constipation. They may also cause slowed breathing, which can lead to overdose deaths. According to the [Centers for Disease Control and Prevention's Understanding the Epidemic](#), an average of 128 Americans die every day from an opioid overdose.

Resources:

- [Medication-Assisted Treatment](#)
- [Opioid Overdose Prevention Toolkit](#)
- [TIP 63: Medications for Opioid Use Disorder](#)
- [Opioid Use Disorder and Pregnancy](#)
- [Pregnancy Planning for Women Being Treated for Opioid Use Disorder](#)
- [Tips for Teens: Opioids](#)
- [National Institute on Drug Abuse: Opioids](#)
- [National Institute on Drug Abuse: Heroin](#)
- [HHS Prevent Opioid Abuse](#)
- [Community Anti-Drug Coalitions of America](#)

Marijuana

- Marijuana can impair judgment and distort perception in the short term and can lead to memory impairment in the long term.
- It can cause confusion, anxiety and, for some, lung damage and abnormalities of the hormonal and reproductive system. Hours after the feeling of getting high fades, the effects of the drug on coordination and judgment remain, heightening the risk of driving or performing other complex tasks. Cannabis, a fat-soluble substance, may remain in the body for weeks, and overuse can cause paranoia, panic attacks or psychiatric problems.
- Marijuana can have significant health effects on young adults and pregnant women.

Resources:

- [Know the Risks of Marijuana](#)
- [Marijuana and Pregnancy](#)
- [National Institute on Drug Abuse: Marijuana](#)
- [CDC Marijuana and Public Health](#)

Methamphetamine

Frequent meth use is associated with mood disturbances, hallucinations, and paranoia. The [National Institute on Drug Abuse](#) reports that overdose death rates involving methamphetamine have quadrupled from 2011 to 2017.

Cocaine

In the short term, cocaine use can result in increased blood pressure, restlessness, and irritability. In the long term, severe medical complications of cocaine use include heart attacks, seizures, and abdominal pain. Cocaine and crack cocaine are extremely dangerous and psychologically and physically addictive. An overdose can result in seizures and death.

Kratom

Kratom is a tropical plant that grows naturally in Southeast Asia with leaves that can have psychotropic effects by affecting opioid brain receptors. It is currently unregulated and has risk of abuse and dependence. The [National Institute on Drug Abuse reports](#) that health effects of Kratom can include nausea, itching, seizures, and hallucinations.

Depressants

Depressants such as barbiturates, Valium and other benzodiazepines, and other depressants can cause disorientation, slurred speech and other behaviors associated with drunkenness. The effects of an overdose of depressants range from shallow breathing, clammy skin, dilated pupils, and weak and rapid pulse to coma and death.

Hallucinogens

Hallucinogens such as LSD, MDA, PCP (angel dust), mescaline and peyote can cause powerful distortions in perception and thinking. Intense and unpredictable emotional reactions can trigger panic attacks or psychotic reaction. An overdose of hallucinogens can cause heart failure, lung failure, coma, and death.

Resources:

- [Tips for Teens: Methamphetamine](#)
- [Tips for Teens: Cocaine](#)
- [National Institute on Drug Abuse](#)

Tobacco

- Tobacco use is the leading cause of preventable death, often leading to lung cancer, respiratory disorders, heart disease, stroke, and other serious illnesses. The CDC reports that cigarette smoking causes more than 480,000 deaths each year in the United States.
- The [CDC's Office on Smoking and Health](#) reports that more than 16 million Americans are living with a disease caused by smoking cigarettes.
- E-cigarettes are not safe, especially for young adults, or pregnant women, because they contain nicotine and other chemicals.

Resources:

- [Truth Initiative](#)
- [FDA Center for Tobacco Products](#)
- [CDC Office on Smoking and Health](#)
- [National Institute on Drug Abuse: Tobacco, Nicotine, and E-Cigarettes](#)
- [National Institute on Drug Abuse: E-Cigarettes](#)

Rehabilitation

MCC encourages students and employees with substance dependencies to seek self-help or professional treatment and will provide information about local agencies and community resources to assist persons with dependency problems upon request or notification of the substance-abuse problem.

Some of these resources can be found at:

- [Illinois Treatment Centers](#)
- [Footprints to Recovery – Illinois](#)
- [Behavioral Health Centers](#)
- [Mental Health and Substance Use Disorders](#)
- [Substance Abuse and Mental Health Prevention](#)
- [National Helpline](#)
- [National Suicide Prevention Lifeline](#)
- [Opioid Treatment Program Directory](#)
- [Recovery and Recovery Support](#)
- [Suicide Prevention](#)
- [Veterans Crisis Line](#)
- [What Is Substance Abuse Treatment? A Booklet for Families](#)
- [Alcohol and Drug Addiction Happens in the Best of Families](#)

Annual Distribution to Students and Employees

In addition to being posted on the school website at <https://mccollege.edu/consumer-information/> and included in the catalog, Illegal Drug and Alcohol Prevention policy is provided annually to all students and employees alongside with campus security report distribution.

Appendix A

Illinois Sanctions for Violation of Alcohol Control Statutes

235 Illinois Compiled Statutes 5/6-20

- A. Class A Misdemeanor - unlawful use of an identification card
- B. Class 4 Felony - fictitious or unlawfully altered identification card
- C. Class 4 Felony - fraudulent identification card
- D. Class B Misdemeanor to possess or sell alcohol if you are under 21.
- E. Class A Misdemeanor to sell, give, or deliver alcohol to individuals under 21 years of age. Local ordinances may also be enforced. Class A Misdemeanors are punishable with a fine of \$1 to \$2,500 and up to 1 year in the county jail.

Class B Misdemeanors are punishable with a fine of \$1 to \$1,500 and up to 6 months in the county jail. These violations may also result in one's driver's license being administratively revoked or suspended by the Illinois Secretary of State's office.

Illinois Sanctions for Driving Under the Influence (DUI)

625 Illinois Compiled Statutes 5/11-501

- i. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof
 - a. First Conviction
 - i. Minimum of one-year loss of full driving privileges
 - ii. Possible imprisonment for up to one year
 - iii. Maximum fine of \$2,500
 - b. Second Conviction
 - i. Minimum five-year loss of full driving privileges for a second conviction in a 20-year period
 - ii. Mandatory five days imprisonment or 240 hours of community service
 - iii. Possible imprisonment for up to one year iv. Maximum fine of \$2,5000
 - c. Third Conviction – Class 2 Felony
 - i. Minimum ten-year loss of full driving privileges
 - ii. Mandatory 18–30-month periodic imprisonment
 - iii. Possible imprisonment for up to seven years
 - iv. Maximum fine of \$25,000
 - d. Aggravated DUI – Class 4 Felony (following a crash resulting in great bodily harm or permanent disfigurement)
 - i. Minimum of one-year loss of full driving privileges
 - ii. Mandatory ten days imprisonment or 480 hours of community service
 - iii. Possible imprisonment for up to twelve years iv. Maximum fine of \$25,000
- ii. Other alcohol offenses
 - a. Providing alcohol to a person under age 21
 - i. Possible imprisonment for up to one year
 - ii. Maximum fine of \$2,500
 - b. Illegal transportation of an alcoholic beverage

- i. Maximum fine of \$1,000
 - ii. Point-assigned violation will be entered on drivers record
 - iii. Driver license suspension for a second conviction in a 12-month period
 - c. Knowingly permitting a driver under the influence to operate a vehicle
 - i. Possible imprisonment for up to one year
 - ii. Maximum fine of \$2,500
 - d. Summary Suspension
 - i. First offense
 - 1. A chemical test indication a blood alcohol calculation (BAC) of .08 or greater results in a mandatory six-month driver license suspension
 - 2. Refusal to submit to a chemical test(s) results in a twelve-month suspension.
 - ii. Subsequent offenses
 - 1. A chemical test indicating a BAC of .08 or greater results in a mandatory one-year driver license suspension.
 - 2. Refusal to submit to a chemical test(s) results in a three-year license suspension.

Illinois Penalties for Drinking and Driving Under Age 21

- A. Driving while under the influence of alcohol, other drug, or drugs, intoxicating compound or compounds or any combination thereof
 - a. First Conviction
 - i. Minimum of two-year loss of full driving privileges
 - ii. Possible imprisonment for up to one year
 - iii. Maximum fine of \$2,500
 - b. Second Conviction
 - i. Minimum five-year loss of full driving privileges for a second conviction in a 20-year period
 - ii. Mandatory five days imprisonment or 240 hours of community service
 - iii. Possible imprisonment for up to one year iv. Maximum fine of \$2,5000
 - c. Third Conviction – Class 2 Felony
 - i. Minimum ten-year loss of full driving privileges
 - ii. Mandatory 18–30-month periodic imprisonment
 - iii. Possible imprisonment for up to seven years
 - iv. Maximum fine of \$25,000
 - d. Aggravated DUI – Class 4 Felony (following a crash resulting in great bodily harm or permanent disfigurement)
 - i. Minimum of one-year loss of full driving privileges
 - ii. Possible imprisonment for up to twelve years
 - iii. Maximum fine of \$25,000
- B. Other alcohol offenses
 - a. Illegal transportation of an alcoholic beverage
 - b. Maximum fine of \$1,000

- c. Driver license suspended for first conviction.
 - d. Driver license revoked for a second conviction.
 - e. Summary Suspension
 - f. First offense
 - i. A chemical test indication a BAC of .08 or greater results in a mandatory six-month driver license suspension
 - ii. Refusal to submit to a chemical test(s) results in a twelve-month suspension.
 - g. Subsequent offenses
 - i. A chemical test indicating a blood alcohol calculation (BAC) of .08 or greater results in a mandatory one-year driver license suspension.
 - ii. Refusal to submit to a chemical test(s) results in a three-year license suspension.
- C. The Zero Tolerance Law provides that minors can have their driving privileges suspended even if they are not intoxicated at the .08 level. The following table shows the length of time your driving privileges may be suspended under the Zero Tolerance Law (for BAC of .01 or greater) and DUI Laws (for BAC of .08 or greater). The loss of driving privileges is greater if you refuse to take a sobriety test.
- D.

	Under Zero Tolerance Law		Under DUI Laws	
		If test refused		If test refused
1st violation	3 months	6 months	6 months	12 months
2nd violation	1 year	2 years	1 year	3 years

Effect on Driving Record

- Zero tolerance (BAC of .01 or greater) – except during suspension period, not on public driving record as long as there is no subsequent suspension.
- DUI conviction (BAC of .08 or greater) – Permanently on public driving record Under certain conditions, you may be charged with DUI even though your blood alcohol level is below .08.

Except during suspension period, violation is not on public driving record as long as there is no subsequent suspension permanently on public driving record.

Appendix B

State of Illinois Classification of Controlled Dangerous Substances (CDS) and Associated Penalties

Illinois Controlled Substances Laws can be found here: www.ilga.gov/legislation/ilcs.

State of Illinois divides its CDS into five “schedules” based on factors such as their potential for abuse, and whether they are approved for legitimate medical use. Schedule I drugs have the highest potential for abuse and no accepted medical use, while Schedule V drugs have the lowest abuse potential and a currently accepted medical use. Examples of CDS listed in each schedule include:

- Schedule I drugs: opiates, certain opium derivatives, and hallucinogenic substances
- Schedule II drugs: coca leaves, oxycodone, codeine, and methamphetamine
- Schedule III drugs: buprenorphine, some steroids, and ketamine
- Schedule IV drugs: alprazolam, diazepam, and tramadol
- Schedule V drugs: medicines that have very small amounts of specified narcotic drugs.

The statute that explains what drug fits into each schedule is [Illinois Compiled Statutes chapter 720, section 570, article II](#). This article concerns the unlawful possession of CDS. Separate penalties apply to sale of, possession with intent to sell, and manufacturing of CDS. For information, see [Illinois Sale of Controlled Substance Laws](#). Illinois law regulates marijuana separately. You can find more information in our article on [Marijuana Laws in Illinois](#).

How Illinois Classifies CDS Possession Crimes

Illinois divides [felonies](#) into five classes: X, 1, 2, 3, and 4. CDS possession crimes can be of any class other than Class X. Class 1 felony possessions are the most serious and receive the harshest penalties. [Misdemeanors](#) are divided into three classes: Class A, B, and C. Class C misdemeanors are the least serious CDS possession crimes. (730 Ill. Comp. Stat. § 5/5-4.5 (2019).)

Some states primarily classify CDS crimes according to drug schedules. Illinois takes a mixed approach and classifies some CDS crimes by specific types of drugs and others by schedule. For this reason, this article is organized by offense level.

Class 1 Felony Possession

Class 1 felony possession is the most serious of the possession felonies.

Heroin, Cocaine, Morphine, LSD, and Hallucinogenic Substances

Penalties for possession of heroin, cocaine, morphine, LSD, and specified hallucinogenic substances depend on the amount of the substance involved in the crime:

- 15 to 99 grams: Punishable by incarceration of four to 15 years.
- 100 to 399 grams: Punishable by incarceration of six to 30 years.
- 400 to 899 grams: Punishable by incarceration of six to 40 years.
- 900 or more grams: Punishable by incarceration of ten to 50 years.

If a possession crime involves LSD or other hallucinogenic substance (like Molly or Ecstasy) sold in object form (such as blotter paper, dots, pills, or capsules), penalties depend on the number of objects or doses involved.

- 15 to 199 objects: Punishable by incarceration of four to 15 years.
- 200 to 599 objects: Punishable by incarceration of six to 30 years.
- 600 to 1499 objects: Punishable by incarceration of eight to 40 years.
- 1500 or more objects: Punishable by incarceration of ten to 50 years.

In addition to the periods of incarceration listed above, a defendant convicted of a crime involving 100 grams or more may be fined an additional \$200,000 or the street value of the CDS, whichever is greater.

Peyote, Barbituric Acid, and Amphetamine

The possession of any substance that contains 200 or more grams of peyote, barbituric acid (including its salts, isomers, and salts of isomers), or amphetamine is punishable by incarceration of four to 15 years and a fine of up to \$200,000.

Pentazocine, Methaqualone, Ketamine, and PCP

The possession of 30 grams or more of pentazocine, methaqualone, ketamine, or PCP is punishable by incarceration of four to 15 years and a fine of up to \$25,000.

Other Schedule I or II Narcotics

The possession of 200 grams or more of Schedule I or II narcotics (other than those discussed above) is a Class 1 felony, punishable by incarceration of four to 15 years and a fine of up to \$200,000.

(720 Ill. Comp. Stat. § 570/402; 730 Ill. Comp. Stat. § 5/5-4.5-3, -50 (2019).)

Class 4 Felony Possession

Possession of any other amount of a Schedule I or II narcotic (other than those discussed above) is a Class 4 felony, punishable by incarceration of one to three years and a fine of up to \$25,000.

Illegal possession of Schedule III, IV, or V CDS is a Class 4 felony punishable by incarceration of one to three years and a fine of up to \$25,000.

(720 Ill. Comp. Stat. § 570/402, 730 Ill. Comp. Stat. §§ 5/5-4.5-45, -50 (2019).)

Misdemeanor Possession

A first conviction for the possession of an anabolic steroid is a Class C misdemeanor punishable by incarceration of up to 30 days and a fine of up to \$1,500. A second offense under this section that occurs within two years of the first conviction is a Class B misdemeanor, punishable by up to six months' incarceration and a \$1,500 fine.

(720 Ill. Comp. Stat. § 570/402; 730 Ill. Comp. Stat. §§ 5/5-4.5-60, -65 (2019).)

Enhanced Penalties

Illinois law imposes additional penalties for repeat offenses.

Repeat offenses. The court may double penalties for a repeat conviction under the Controlled Substances Act.

Mandatory minimum sentences. If you are convicted of a repeat Class 1 felony within 10 years, the court must impose the minimum period of incarceration allowed for that crime and cannot order conditional discharge, probation, or periodic imprisonment (also called "weekend" imprisonment).

Unauthorized prescription. Possession of an unauthorized prescription form is a Class 4 felony for a first offense. Subsequent offenses can be punished by a Class 3 felony.

(720 Ill. Comp. Stat. §§ 570/406.2, -408; 730 Ill. Comp. Stat. § 5/5-5-3 (2019).)

Appendix C

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C.844(a) First conviction: up to one-year imprisonment and fined at least \$1,000, or both After one prior drug conviction: at least 15 days in prison, not to exceed two years, and fined at least \$2,500, or both After two or more prior drug convictions: at least 90 days in prison, not to exceed three years, and fined at least \$5,000, or both.

21 U.S.C.853(a)(2) 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-year imprisonment (see special sentencing provisions regarding crack)

21 U.S.C.881(a)(4) Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C.862(b) Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for the first offense, up to five years for second and subsequent offenses.

18 U.S.C.922(g) Ineligible to receive or purchase a firearm or ammunition shipped or transported via interstate commerce.

Appendix D

Health Risks of Commonly Abused Substances

Substance	Nicknames/Slang Terms	Short Term Effects	Long Term Effects
Alcohol		slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision, and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts	toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety	delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence
Barbiturates and Tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	slurred speech, muscle relaxation, dizziness, decreased motor control	severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence
Cocaine	coke, cracks, snow, powder, blow, rock	loss of appetite increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility, increased rate of	depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough,

		breathing, muscle spasms and convulsions. dilated pupils disturbed sleep,	nasal passage injury, kidney, liver, and lung damage
Gamma Hydroxy Butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure	memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness	constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence
Ketamine	K, super K, special K	dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity, increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A-bombs	dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in	may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical

		visual acuity, mood changes	dependence, psychological dependence
MDMA	ecstasy, XTC, adam, X, rolls, pills	impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	same as LSD, nausea, sleeplessness, anxiety confusion, increased blood pressure, death, sweating, depression, memory loss, kidney failure, cardiovascular problems, convulsions physical dependence, psychological dependence
Marijuana/Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	sensory distortion, poor coordination of movement slowed reaction time, panic, anxiety	bronchitis, lethargy, conjunctivas, cancer, shortened attention span, suppressed immune system, personality changes, psychological dependence, physical dependence possible for some
Mescaline	peyote cactus	nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, body temperature	lasting physical and mental trauma, intensified existing psychosis, psychological dependence
Morphine/Opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	euphoria, increased body temperature, dry mouth, "heavy" feeling in arms and legs	constipation, loss of appetite collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence

PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence
Psilocybin	mushrooms, magic mushrooms, caps, shrooms, psilocybin and psilocyn	nausea, distorted perceptions, nervousness, paranoia,	confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis,
Steroids	roids, juice	increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence