

Federal and State Penalties

Ohio Law prohibits illicit selling, cultivating, manufacturing or otherwise trafficking in controlled substances, including cocaine, heroin, amphetamines and marijuana; knowingly or recklessly furnishing them to a minor; and administering them to any person by force, threat or deception with the intent to cause serious harm or if serious harm results. These offenses are felonies. The law also prohibits knowingly obtaining, possessing or using a controlled substance and permitting drug abuse on one's premises or in one's vehicle. These offenses may be either felonies or misdemeanors. The law further prohibits obtaining, possessing or using hypodermics for unlawful adminis-

tration of drugs, and the sale to juveniles of paraphernalia for use with marijuana. These offenses are misdemeanors.

A felony conviction may lead to imprisonment or both imprisonment and fine. The maximum prison term is twenty-five years. A misdemeanor conviction may lead to imprisonment for up to six months and/or a fine of up to \$1,000.

With regard to beer and intoxicating liquor, Ohio law provides that a person under 21 years of age who orders, pays for, attempts to purchase, possesses or consumes beer or liquor, or furnishes false information in order to effect a purchase, commits a misdemeanor. Ohio law prohibits the possession of beer or liquor which was not

lawfully purchased, and a court may order that any place where beer or liquor is unlawfully sold not be occupied for one year, or that the owner or occupant of the premises be required to furnish a surety bond of \$1,000 to \$5,000.

Federal law forbids the illegal possession of and trafficking in controlled substances. A person convicted for the first time of possessing a controlled substance, other than crack cocaine, may be sentenced to up to one year in prison and fined between \$1,000 and \$100,000. A second conviction carries a prison term of up to two years and a fine of up to \$250,000. Subsequent convictions carry prison terms of up to three years and fines of up to

\$250,000. Imprisonment for five to 20 years and fine of up to \$250,000 apply to persons possessing more than five grams of crack cocaine on the first conviction, three grams on the second and one gram on subsequent convictions. In addition to the above sanctions, a person convicted of possessing a controlled substance may be punished by forfeiture of property used to possess or facilitate possession, if the offense is punishable by more than one year in prison; forfeiture of any conveyance used to transport or conceal a controlled substance; denial of Federal benefits, such as student loans, for up to five years; ineligibility to receive or purchase a firearm; and a civil penalty of up to \$10,000.

Ohio Revised Code

Section	Rule	Penalty
4301.63	No person under the age of 21 shall purchase beer or intoxicating liquor.	\$25 to \$100 fine.
4301.632	No person under 21 shall consume or possess any beer or intoxicating liquor in any public or private place.	First degree misdemeanor. Up to 6 mo. prison. \$250 - \$1,000 fine.
4301.633	No person shall knowingly offer false information as to any person under 21 attempting to purchase liquor.	First degree misdemeanor.
4301.634	No person shall knowingly give false information concerning his own name, age, etc., in order to purchase liquor.	First degree misdemeanor.
4301.636	No person shall manufacture, sell, or distribute any identification card issued for the purpose of establishing a person's age.	Fourth degree felony. 18 mo. to 5 years in prison, no less than \$1,000 fine.
4301.64	No person shall consume any beer or intoxicating liquor in a motor vehicle.	Fourth degree misdemeanor. Up to 30 days prison. \$250 fine.
4301.69	No person shall purchase beer or intoxicating liquor for, or furnish it to, an underage person.	First degree misdemeanor. Up to 6 mo. in prison. \$500 - \$1,000 fine.
4511.19	Prohibition against driving while under the influence of alcohol or drugs. (A) No person shall operate any vehicle if any of the following apply:	First degree misdemeanor. License suspension or revocation. First offense mandatory 3 days prison. \$200 - \$1,000 fine.

4511.19 (cont.)

1) the person is under the influence of alcohol or drugs.
 2) the person has a concentration of ten-hundredths of one per cent or more by weight of alcohol in his blood.
 3) the person has a concentration of ten-hundredths of one gram or more by weight of alcohol per two hundred ten liters of his breath.
 4) the person has a concentration of fourteen-hundredths of one gram or more by weight of alcohol per one hundred milliliters of his urine.

4511.191 Implied Consent. If you refuse to submit to a drug or alcohol test after being stopped by a police officer, the state may automatically suspend your driver's license.

4301.62 No person shall have in his or her possession an opened container of beer or intoxicating liquor in a State liquor store, or on the premises of the holder of any permit issued by the Dept. of Liquor Control, or in any other public place.

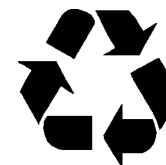
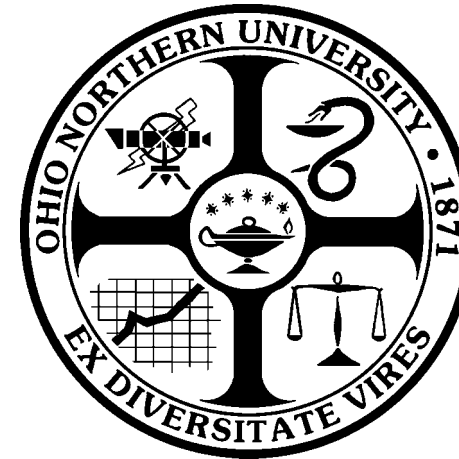
Kenton Ord. 612.18 No person shall be found in the state of intoxication or, being intoxicated, shall disturb the peace and good order or shall conduct himself in a disorderly manner.

2nd offense within 6 years **mandatory** 10 days prison. \$300 - \$1,500 fine. 3 or more violations within 6 yrs. **mandatory** 30 days prison. \$500 - \$2,500 fine. *Can be more severe at court's discretion.

First offense 1 yr. suspension; however, each time you refuse to submit, the suspension time increases by a year. Also a charge of \$250 to renew the license.

\$25 to \$100 fine.

Up to \$100 fine.



Ohio Northern University

SUBSTANCE ABUSE AND DEPENDENCY...

FEDERAL AND STATE LAWS

The following information is being provided all members of the ONU community as part of a program to inform faculty, staff and students of the consequences of illicit drug and alcohol use. A leaflet entitled "Chemical Abuse and Dependency...Helps and Hazards" is also distributed to members of the ONU community. Administrative, faculty and student handbooks describe University policy and possible sanctions. ONU has joined in a national awareness program established by the Drug-Free Schools and Communities Act of 1989.

Federal Trafficking Penalties

APPENDIX A

CSA	Penalty		Quantity	Drug	Quantity	Penalty	
	2 nd Offense	1 st Offense				2 nd Offense	1 st Offense
I	Not less than 10 years. Not more than life.	Not less than 5 years. Not more than 40 years.	10-99 gm or 100-999 gm mixture	Methamphetamine	100 gm or more or 1kg or more mixture	Not less than 10 years. Not more than life.	Not less than 20 years. Not more than life.
			100-999 gm mixture	Heroin	1 kg or more mixture		
			500-4,999 gm mixture	Cocaine	5 kg or more mixture		
	If death or serious injury, not more than life.	If death or serious injury, not less than 20 years. Not more than life.	5-49 gm mixture	Cocaine Base	50 gm or more mixture	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.
			10-99 gm or 100-999 gm mixture	PCP	100 gr or more or 1 kg or more mixture		
			1-10 gm mixture	LSD	10 gr or more mixture		
			40-399 gm mixture	Fentanyl	400 gr or more mixture		
and II	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$2 million individual, \$5 million other than individual.	10-99 gm mixture	Fentanyl Analogue	100 gr or more mixture	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$8 million individual, \$20 million other than individual

	Drug	Quantity	First Offense	Second Offense
	Others*	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.	Not more than 30 years. If death or serious injury, life. Fine not more than \$500,000 individual, \$2 million not individual.
III	Steroids	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.	Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.
IV	All	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual.	Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.
V	All	Any	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual.	Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.
* Does not include marijuana, hashish, or hash oil. (See separate chart.)				

Federal Trafficking Penalties – Marijuana

As of August 20, 1997

Quantity	Description	First Offense	Second Offense
1,000 kg or 1,000 or more plants	Marijuana	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not more than life. Fine not more than \$8 million individual, \$20 million other than individual.
100 kg to 1,000 kg or 100-999 plants	Marijuana	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million more than individual.	Not less than 10 years, not more than life. If death or serious injury, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.
50 to 100 kg or 50-99 plants	Marijuana	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, not more than life. Fine not more than \$2 million individual, \$10 million other than individual.
Less than 50 kg	Marijuana	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million other than individual.	Not more than 10 years. Fine not more than \$500,000 individual, \$2 million other than individual
Less than 10 kg	Hashish		
Less than 1 kg	Hashish Oil		

(Marijuana is a Schedule I Controlled Substance.)