

**To all CLC students, staff & faculty:**

This information satisfies the federal requirements of the Drug-Free Schools and Campus Act of 1988. The College of Lake County (CLC) maintains an educational environment not only for academic success but for personal success and safety. The following letter explains the Safe and Drug-Free Policy, the expectations, possible disciplinary sanctions, health risks, as well as resources on campus and in the community for those seeking help.

### **Safe and Drug-Free School and Campus Act of 1988**

The College of Lake County is committed to maintaining a safe college community and workplace. The Drug-Free Schools and Campus Act of 1988, enacted by CLC, states: No students or employees shall *unlawfully* possess, use, dispense, distribute or manufacture any alcoholic beverage or controlled substance within the college's jurisdiction or as part of any CLC authorized activity. Conduct which constitutes a violation of the Drug-Free Schools and Campus Act will be subject to disciplinary sanctions.

### **Student Conduct Process**

**Students:** The Student Rights and Responsibilities – Procedures (SRRP) describes student rights as well as examples of misconduct that violate the College's Standards of Conduct which include: *Section II. K. Alcohol, Drugs, Smoking and Vaping Prohibitions* 1. *Unlawful use, possession, or dispensation of prescription medication.* 2. *Unlawful possession, manufacture, distribution, dispensation, or use of a controlled substance.* 3. *Public intoxication and/or use, possession or dispensation of alcoholic beverages, except as expressly permitted by law.* 4. *Public impairment from controlled substances, including cannabis.* 5. *Smoking, vaping or tobacco use.* 6. *Unlawful possession, manufacture, distribution, dispensation, or use of cannabis, including cannabis derivatives and products, or related paraphernalia in accordance with Sections 10-35(d) and 10-50 of the Illinois Cannabis Regulation and Tax Act.* *Drugs and Alcohol, Student Conduct Process and Procedures* are defined in Section IV of the SRRP. Copies can be obtained from the office of the Vice President of Student Development, Grayslake Campus, Room A213, 847-543-2048. Also via the CLC website: <http://dept.clcillinois.edu/ssd/StudentRightsandResponsibilitiesProcedures.pdf>.

Sanctions are listed in the SRRP under Section IV(C). Sanctions through Student Conduct are as follows:

### **Sanctions through Student Conduct**

In keeping with the essential values of the College of Lake County, sanctions are designed to promote its educational mission. Sanctions may also serve to promote safety or to deter students from behavior that harms, harasses or threatens people or property. The VP or designee may impose any of the following sanctions for violations of the *SRRP*:

- **Warning**  
An official verbal or written notice that the student has violated College policies and/or rules and that additional sanctions may result should the student be involved in other violations while enrolled at the College.
- **Probation**  
When a student is under probation, a letter outlining conditions and restrictions of a student's behavior will be provided. Probation will be imposed indefinitely but may contain timelimited sanctions. If the student fails to fulfill the terms of the probation, the VP or designee may recommend suspension of the student to the Student Conduct Hearing Board and/or apply additional sanctions. As part of the conditions and restrictions, a student may be required to meet specified conditions.
- **Behavioral Requirement**  
This includes required activities including, but not limited to, having no contact with specified person(s), substance and/or alcohol abuse screening and writing a letter of apology, etc.

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- **Behavioral Requirement**  
This includes required activities including, but not limited to, having no contact with specified person(s), substance and/or alcohol abuse screening and writing a letter of apology, etc.

- **Educational Program**

Includes, but is not limited to, requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible.

- **Interim Suspension**

An interim suspension of a student may be immediately imposed, prior to completion of a full investigation and/or hearing of the Student Conduct Hearing Board if necessary and in exceptional circumstances consistent with other college policies and procedures, when the student is deemed to pose a direct threat to the health and safety of members of the College community. The student will be provided an immediate opportunity to know the reasons for his/her interim suspension and a chance to respond.

- Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the VP of Student Development or designee.

### **Sanctions through the Student Conduct Hearing Board**

Upon recommendation by the VP or designee, the Student Conduct Hearing Board will consider cases related to the following sanctions and may impose any of the following sanctions for violations of the SRRP:

- **Suspension**

Separation from the College for a specified minimum period of time, after which the student is eligible to return. Suspended students are prohibited from all College premises, academic or other activities and events, and from interacting with the College community during the term of suspension, and are expected to comply with any and all other conditions as determined by the College. The suspension may not exceed four (4) academic school years. Students suspended within a semester or summer term may be administratively withdrawn from classes. Suspended students may appeal the decision of suspension within five (5) business days of receiving the Student Conduct Hearing Board's decision. Failure to adhere to the suspension terms, stipulations and/or trespass agreement, may result in further disciplinary measures, expulsion and/or criminal charges as dictated by the College.

- **Expulsion**

Expulsion is permanent separation from the College unless successfully appealed. Expelled students may appeal the decision of expulsion within five (5) business days of receiving the Student Conduct Hearing Board's decision. Expelled students are prohibited from all College premises, academic or other activities and events, and from interacting with the College community. Depending on the nature of the misconduct for which they are expelled, or violating the terms of their expulsion, students may also be subject to criminal charges.

### **Reinstatement**

Reinstatement would be contingent upon the individualized assessment by the Student Conduct Hearing Board.

- The assessment is based on the written rationale provided in the individual's request for reinstatement, any other supplemental documentation to support re-admission to the College;
- A review of the initial violation causing suspension, and the individual's adherence to behavioral expectations noted in the SRRP and letter of conditions and restrictions.

## **Title IV financial aid eligibility**

### **Students convicted of Possession or Sale of Drugs:**

A federal or state drug conviction can disqualify students for federal student aid.

Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV financial aid; they do not count if the offense was not during such a period.

Also, a conviction that was reversed, set aside, or removed from a student's record does not count, nor does one received when they were a juvenile, unless they were tried as an adult.

The chart below illustrates the period of ineligibility for federal student aid funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. A conviction for sale of drugs includes convictions for conspiring to sell drugs.

#### **Possession of illegal drugs:**

1st offense: 1 year from date of conviction

2nd offense: 2 years from date of conviction

3+ offenses: Indefinite period

#### **Sale of illegal drugs:**

1st offense: 2 years from date of conviction

2+ offenses: Indefinite period

If a student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

A student regains eligibility the day after the period of ineligibility ends or when they successfully complete a qualified drug rehabilitation program. Further drug convictions will make them ineligible again.

Students denied eligibility for an indefinite period can regain it only after successfully completing a rehabilitation program as described below or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to the school that they have successfully completed the rehabilitation program; as with the conviction question on the Federal Application for Student Aid (FASFA).

When a student regains eligibility during the award year, schools may award Pell, ACG, National SMART, and Campus-based aid for the current payment period and Direct and Family Federal Education Loan (FFEL) loans for the period of enrollment.

### **Standards for a qualified drug rehabilitation program:**

A qualified drug rehabilitation program must include at least two unannounced drug tests and must satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program
- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company
- Be administered or recognized by a federal, state, or local government agency or court
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor

If the school has reason to believe that a student's completed drug rehabilitation program does not meet the requirements, the school must verify that the program meets aforementioned standards before paying the student any Federal Student Aid funds.

### **Incarcerated Students**

A student is considered to be incarcerated if they are serving a criminal sentence in a federal, state, or local penitentiary, prison, jail, reformatory, work farm, or similar correctional institution, regardless of whether it is operated by the government or a contractor. A student is not considered to be incarcerated if she is in a half-way house or home detention or is sentenced to serve only weekends.

Incarcerated students are not eligible for Federal Student Aid loans. Furthermore, individuals incarcerated in federal or state penal institutions may not receive Federal Pell Grants. However, if they are incarcerated in a local, municipal, or county correctional facility and they otherwise meet eligibility criteria, they are eligible for a Federal Pell Grant. If they are committed to a juvenile justice facility and they otherwise meet eligibility criteria, they are eligible to receive a Federal Pell Grant, regardless of whether the juvenile justice facility is administered by a federal, state, or local government or agency. The restrictions that apply while they are confined in a secure facility are removed when they are released, even if they are released on probation or parole. However, if they were convicted as an adult for the possession or sale of illegal drugs, federal student aid eligibility may be suspended if the offense occurred while they were receiving federal student aid. Schools may accept the student's written self-certification that they are no longer incarcerated. A summation can be found at this site: <https://studentaid.ed.gov/sa/sites/default/files/aid-info-for-incarcerated-individuals.pdf>

### **Employees**

Policy 551 in the Policy Manual describes employee expectations and examples of disciplinary offenses that violate this policy which include: *"09. Possession, use, or sale of illegal drugs on College property or reporting for or returning to work while under the influence of a controlled substances, alcohol, narcotics, or other drugs."* Copies can be obtained from the Human Resources Office and the CLC website: <http://dept.clcillinois.edu/pre/PolicyManual.pdf>

Sanctions are listed in Policy 551 under "Progressive Discipline/Dismissal" as follows:

One or more of the steps set forth in the progressive disciplinary procedure may be waived and immediate dismissal may be invoked depending upon the severity of the employee's misconduct, record of previous disciplines, the length of service since the last documented offense, and other circumstances.

#### Step 1 – Oral Warning:

This step will be taken in conference with the employee with the intent of correcting the problem.

#### Step 2 – Written Reprimand:

A written reprimand may be issued by the employee's supervisor which includes the nature of the problem and the expected changes in work performance or behavior. A copy of this reprimand will be given to the Personnel Director to be placed in the employee's Personnel File.

#### Step 3 – Suspension Without Pay:

The employee may be suspended without pay by the Executive Director of Human Resources, or his/her designee. The employee shall be notified of such suspension in writing. Suspension with, or without pay includes, but is not limited to, wages or salary.

#### Step 4 – Dismissal:

Upon authorization by the President, or his/her designee, a letter recommending dismissal will be issued to the employee stating the reason(s) for dismissal. A copy of the letter of dismissal is

also provided to the President. Dismissal shall be subject to approval by the Board of Trustees.

### **Legal Sanctions**

Students and employees as citizens remain subject to federal, state and local ordinances and laws; therefore, the college's disciplinary process is not intended to replace or modify existing laws.

Listed below are possible sanctions for drinking and illicit drug use. For exact sentencing guidelines, please review local, federal and state laws.

**Drivers' license suspension/revocation:** For Underage Drinking, defined as 20 years old or younger, any person under age 21 convicted of or receiving court supervision for illegally purchasing, accepting, possessing or consuming alcoholic beverages will have their driving privileges suspended or revoked. The first DUI conviction has a penalty of loss of driving privileges for 2 years, with the conviction on the person's driving record permanently. [www.cyberdriveillinois.com](http://www.cyberdriveillinois.com)

**Parent Responsibility:** Parents should know that it is a Class 4 felony, with possible imprisonment of 1-3 years and a fine of up to \$25,000, to knowingly allow individuals under age 21 to drink in their home, if great bodily harm or death is a result of this action.

**Drugs:** Criminal penalties for drug related offenses vary due to the substance, and amount for possession, selling, distributing, etc. The offense could result in a combination of fines and/or incarceration according to the classification such as: Class C – 1 to 3 months; Class B – up to 6 months; Class A – up to one year; Class 4 – 1 to 3 years; Class 2 – 3 to 7 years; Class 1 – 4 to 15 years and Class X – 6 to 30 years.

### **Effects of Drugs and Alcohol**

Alcohol and drugs are all mood altering in some fashion and all affect different parts of the brain, some of which are responsible for motor skills, visual and auditory perception, short and long-term memory as well as emotional wellness. Depending on dosage and duration, addiction and alcoholism can develop. Illicit drugs and classifications of substances include Marijuana, Stimulants (e.g. cocaine), Depressants (e.g. valium, alcohol) Opiates (e.g. heroin) and Hallucinogens (e.g. LSD). Substance abuse and alcohol abuse are also risk factors associated with heart disease, ulcers, HIV/AIDS, suicide, and clinical depression. The American Medical Association recommends that pregnant women abstain from illicit drugs, alcohol and tobacco during pregnancy and nursing.

### **Health Risks**

Abuse of alcohol and use of drugs are harmful to one's physical, mental, social and financial well-being. Accidents and injuries are more likely to occur if alcohol and drugs are used. Alcohol and drug users can lose resistance to disease and destroy their health. Tolerance and psychological dependence can develop after sustained use of drugs.

Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal finances, health, social relationships and families. It can have significant legal consequences. Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure self or others and may subject the abuser to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

Major categories of drugs are listed below with significant health risks of each.

***Amphetamines*** - Physical dependency, heart problems, infections, malnutrition and death may result from continued high doses.

***Narcotics*** – Chronic use of narcotics can cause physical dependency, lung damage, convulsions, respiratory paralysis and death.

**Depressants** – These drugs, such as tranquilizers and alcohol, can produce slowed reactions, slowed heart rate, damage to liver and heart, respiratory arrest, convulsions and accidental overdoses.

**Hallucinogens** – These drugs may cause psychosis, convulsions, coma and psychological dependency.

**Campus and Community Resources**

CLC is prepared to help students and employees that seek resources in order to achieve academic and career success. Resources can be accessed via the CLC webpage as well as face-to-face on campus and in the Lake County community.

- The Employee Assistance Program is a benefit available to all regular full-time and part-time employees of the College. Since employee work performance can be affected by the problems of an employee’s spouse or other dependents, the program is also available to the spouses and dependents of regular full-time and part-time employees. Their number is 1-800-523-5668.
- Counseling and Psychological Services provides assistance for students expressing concerns such as anxiety, anger, depression, self-harm, substance use, suicidal thoughts, past or current abuse, and family or relationship problems. They are located in Suite A151 on the Grayslake campus, 847-543-2032. Department hours are Monday through Friday, 8:30am to 5:00pm. Additionally, after hours emergency phone consultation can be reached via the main phone number. Learn more about CAPS at [www.clcillinois.edu/caps](http://www.clcillinois.edu/caps)
- CLC’s Health Center can help provide community resources, such as referrals to nicotine “Quit” programs, health information and nursing assessments and recommendations for physical concerns related to substance use. The Health Center is located in Room C176 at the Grayslake Campus and can be reached at (847) 543–2064.
- The Lake County Health Department has numerous locations throughout Lake County. Contact information:
  - Addiction Treatment Program at 847-377-8200
  - Outpatient Substance Abuse Program at 847-377-8120
  - Crisis Care Program at 847-377-8088.

For more information about Lake County substance abuse prevention and treatment programs, visit the Lake County Health Department and Community Health Center website: <http://www.lakecountyil.gov/>.

**Federal Trafficking Penalties**

For the most up to date Federal Trafficking Penalties, check the website: <https://www.deadiversion.usdoj.gov/21cfr/21usc/>

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	First Offense: Not less than 5 yrs, and not more than 40	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	

Fentanyl (Schedule II)	40 - 399 gms mixture	yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual <b>Second Offense:</b> Not	400 gms or more mixture	life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual. <b>Second Offense:</b> Not
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture	less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual	50 gms or more pure or 500 gms or more mixture	less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	
<b>PENALTIES</b>				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> 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.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual		
Flunitrazepam (Schedule IV)	1 gm or more			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual		
Flunitrazepam (Schedule IV)	30 to 999 mgs			
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Flunitrazepam (Schedule IV)	Less than 30 mgs			
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		



### Federal Trafficking Penalties - Marijuana

DRUG	QUANTITY	1 <sup>st</sup> OFFENSE	2 <sup>nd</sup> OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> <li>• Not less than 10 years, not more than life</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not less than 20 years, not more than life</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine not more than \$8 million if an individual, \$20 million if other than an individual</li> </ul>
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> <li>• Not less than 5 years, not more than 40 years</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine not more than \$2 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not less than 10 years, not more than life</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture  more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>• Not more than 20 years</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not more than 30 years</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> <li>• Not more than 5 years</li> <li>• Fine not more than \$250,000, \$1 million other than individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not more than 10 years</li> <li>• Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

Source: <http://www.usdoj.gov/dea/agency/penalties.htm>

### Illinois Drug Laws

CRIME	PUNISHMENT
<b>DRUG CRIMES</b>	
<b>DRUG CONVICTION FOR <u>POSSESSION</u></b> (felony or misdemeanor)	Under <u>Student Aid Laws</u> : Cannot obtain any Government Student Aid, Loans, or Grants for 1 Year after 1 <sup>ST</sup> Conviction for Possession; for 2 Years after 2 <sup>ND</sup> Conviction and for an indefinite amount of time after 3 <sup>RD</sup> Conviction.
<b>DRUG CONVICTION FOR <u>SALE</u></b> (felony or misdemeanor)	Under <u>Student Aid Laws</u> : Cannot obtain any Government Student Aid, Loans, or Grants for 2 Years after 1 <sup>ST</sup> Conviction and indefinite amount of time after 2 <sup>ND</sup> Conviction.
<b>DRUG POSSESSION</b>	
<b>CANNABIS</b> (30-100 grams) 720 ILCS 550/4	Misdemeanor Up to \$2500 Fine/ 1 year in Jail
<b>CANNABIS</b> (100-500 grams) 720 ILCS 550/4	Felony Up to \$25,000 Fine / 1-3 years in Jail
<b>CANNABIS</b> (500-2,000 grams) 720 ILCS 550/4	Felony Up to \$25,000 Fine / 2-5 years in Jail
<b>CANNABIS</b> (2,000-5,000 grams) 720 ILCS 550/4	Felony Up to \$25,000 Fine / 2-5 years in Jail
<b>CANNABIS</b> (over 5,000 grams) 720 ILCS 550/4	Felony 4-15 years / \$25,000 Fine
<b>PRESCRIPTION FORGERY</b> 720 ILCS 570/406(b)(3)	1 <sup>ST</sup> Offense Felony Up to \$100,000 Fine &/or 1 to 3 Years in Pen.
<b>POSSESSION DRUG PARAPHERNALIA</b> 720 ILCS 600/3.5	\$750 to \$2500 Fine &/or Up to 1 Year in Jail

<b>POSSESSION OF HEROIN, COCAINE, MORPHINE, METHAMPHETAMINE, LYSERGIC ACID OR LSD: 720 ILCS 570/402</b>	
<b>15 GRAMS TO 100 GRAMS</b>	Felony Up to \$200,000 Fine & /or 4 to 15 Years in Pen.
<b>100 GRAMS to 400 GRAMS</b>	Felony Up to \$200,000 Fine or Street Value &/or 6 to 30 Years Pen.
<b>400 GRAMS TO 900 GRAMS</b>	Felony Up to \$200,000 Fine or Street Value &/or 8 to 40 Years Pen.
<b>900 + GRAMS</b>	Felony Up to \$200,000 Fine or Street Value &/or 10 to 50 Years Pen.
<b>PEYOTE, BARBITURIC ACID, AMPHETAMINE</b> (more than 200 grams) 720 ILCS 570/402	Felony Up to \$200,000 Fine & /or 4 to 15 Years in Pen.
<b>METHAQUALONE, PENTAZOCINE, PHENCYCLIDINE</b> (more than 30 grams) 720 ILCS 570/402	Felony Up to \$200,000 Fine & /or 4 to 15 Years in Pen.
<b>ANABOLIC STEROID</b> 720 ILCS 570/402	1 <sup>ST</sup> Offense Up to \$1500 Fine &/or 30 Days in Jail
<b>NITROUS OXIDE</b> 720 ILCS 5/24.5-5	1 <sup>ST</sup> Offense Up to \$2500 Fine &/or Up to 1 Year in Jail
<b>SALE, MANUFACTURE, POSSESSION WITH INTENT TO TRAFFIC DRUGS</b>	
<b>CANNABIS</b> (less than 2.5 grams) 720 ILCS 550/5	Misdemeanor \$1500 Fine &/or 6 Months in Jail
<b>CANNABIS</b> (2.5 grams to 10 grams) 720 ILCS 550/5	Misdemeanor \$2500 Fine &/or 1 Year in Jail
<b>CANNABIS</b> (10 grams to 30 grams) 720 550/5	Felony Up to \$25,000 Fine & /or 1 to 3 Years in Pen.

<p align="center"><b>CANNABIS</b> (30 grams to 500 grams) 720 550/5</p>	<p align="center">Felony Up to \$50,000 Fine &amp; /or 2 to 5 Years in Pen.</p>
<p align="center"><b>CANNABIS</b> (500 grams to 2000 grams) 720 550/5</p>	<p align="center">Felony Up to \$100,000 Fine &amp; /or 3 to 7 Years in Pen.</p>
<p align="center"><b>CANNABIS</b> (2000 grams to 5000 grams) 720 550/5</p>	<p align="center">Felony Up to \$150,000 Fine &amp; /or 4 to 15 Years in Pen.</p>
<p align="center"><b>CANNABIS</b> (more than 5000 grams) 720 550/5</p>	<p align="center">Felony Up to \$200,000 Fine &amp; /or 6 to 30 Years in Pen.</p>
<p align="center"><b>COCAINE</b> (1 to 15 grams) 720 ILCS 570/401 <b>HEROIN</b> (10 to 15 grams) <b>MORPHINE</b> (10 to 15 grams) <b>METHAMPHETAMINE</b> (5 to 15 grams)</p>	<p align="center">Felony Up to \$250,000 &amp;/or 4 to 15 Years in Pen.</p>
<p><b>COCAINE, HEROIN, MORPHINE, METHAMPHETAMINE, LSD:</b> 720 ILCS 570/401</p>	
<p align="center"><b>15 GRAMS TO 100 GRAMS</b></p>	<p align="center">Felony Up to \$500,000 Fine &amp; /or 6 to 30 Years in Pen.</p>
<p align="center"><b>100 GRAMS TO 400 GRAMS</b></p>	<p align="center">Felony Up to \$500,000 or Street Value &amp;/or 9 to 40 Years in Pen.</p>
<p align="center"><b>400 GRAMS TO 900 GRAMS</b></p>	<p align="center">Felony Up to \$500,000 Fine or Street Value &amp;/or 12 to 50 Years Pen.</p>
<p align="center"><b>OVER 900 GRAMS</b></p>	<p align="center">Felony Up to \$500,000 Fine or Street Value &amp;/or 15 to 60 Years Pen.</p>
<p align="center"><b>NITROUS OXIDE</b> 720 ILCS 5/24.5-10</p>	<p align="center">Felony Up to \$25,000 Fine &amp; /or 2 to 5 Years in Pen.</p>
<p><b>* FELONY, INCREASES PENALTY TO 15-20-25-LIFE</b></p> <p><b>Increased Penalties for use of Firearm During Commission of Offense:</b></p> <ol style="list-style-type: none"> <li>1. Use of firearm during commission of offense: 15 years added to sentence imposed</li> <li>2. Discharge of firearm during commission of offense: 20 years added to sentence imposed</li> <li>3. Discharge of firearm causing death or injury: 25 years or up to natural life added to sentence imposed</li> </ol>	
<p align="center"><b>MISDEMEANORS</b></p>	<p><b><u>Class A:</u></b> Up to \$2500 Fine &amp;/or Up to 1 Year in Jail. <b><u>Class B:</u></b></p>

730 ILCS 5/5-9-1 & 5/5-8-3	Up to \$1500 Fine &/or Up to 6 Months in Jail. <b>Class C:</b> Up to \$1500 Fine &/or Up to 30 Days in Jail.
<p style="text-align: center;"><b>FELONY CONVICTION</b></p> <p>730 ILCS 5/5-8-1 &amp; 5/5-9-1</p>	<p><b>Class X Felony</b> Up to \$25,000 Fine &amp;/or 6 to 30 Years in Pen.</p> <p><b>Class 1 Felony</b> Up to \$25,000 Fine &amp;/or 4 to 15 Years in Pen.</p> <p><b>Class 2 Felony</b> Up to \$25,000 Fine &amp;/or 3 to 7 Years in Pen.</p> <p><b>Class 3 Felony</b> Up to \$25,000 Fine &amp;/or 2 to 5 Years in Pen.</p> <p><b>Class 4 Felony</b> Up to \$25,000 Fine &amp;/or 1 to 3 Years in Pen.</p>
IF POSSESSION OR SALE OF ANY DRUG IS WITHIN 1500 FEET OF A SCHOOL, CHURCH, PUBLIC PARK, OR MOVIE THEATER, COURT MAY DOUBLE THE FINE AND THE SENTENCE.	
IF A FIREARM IS IN POSSESSION AT THE TIME OF A DRUG ARREST, AT CONVICTION COURT MAY DOUBLE THE FINE AND THE SENTENCE.	

For further information on Criminal Offenses under the Illinois Controlled Substances Act (720 ILCS 570/), visit the Illinois General Assembly website at <http://www.ilga.gov/legislation/ilcs>

**Grayslake Ordinance Related to Drug Offenses:**

**9.08.050 - Possession of cannabis—Violations—Penalty.**

- A. It is unlawful for any person knowingly to possess cannabis within the village limits.
- B. Any person who violates this section with respect to:
  - 1. Up to ten (10) grams of any substance containing cannabis is guilty and shall be fined not less than one hundred dollars (\$100.00) and not to exceed two hundred dollars (\$200.00) for each offense.
  - 2. More than ten (10) grams but not more than thirty (30) grams of any substance containing cannabis is guilty and shall be fined two hundred fifty dollars (\$250.00) for each offense.
- C. No period of imprisonment shall be sought or imposed for violating this section. (Amended during 2001 codification; prior code § 42.20)

(Ord. No. 2017-0-01, § 2, 1-3-2017)

**9.08.055 - Sale and possession of drug paraphernalia.**

- A. Definitions. Whenever the following words or terms are used in this section they shall have the meanings ascribed to them below:

"Cannabis" means marijuana, hashish, and other substances which are identified as including any parts of the plant Cannabis sativa, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinal derivatives, including its parts of such plant which is incapable of germination.

"Controlled substance" means a drug, substance, or immediate precursor as defined in Article II of the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq.

For further information on Criminal Offenses under the Illinois Controlled Substances Act (720 IL C S 570/), visit the Illinois General Assembly website at <http://www.ilga.gov/legislation/ilcs>

**Grayslake Ordinance Related to Drug Offenses:**

**For the most up to date Grayslake Drug laws, check the website:**

[https://library.municode.com/il/grayslake/codes/municipal\\_code?nodeId=TIT9PUPEMOWE](https://library.municode.com/il/grayslake/codes/municipal_code?nodeId=TIT9PUPEMOWE)

**9.08.50 - Possession of cannabis—Violations—Penalty.**

- A. It is unlawful for any person knowingly to possess cannabis within the village limits.
- B. Any person who violates this section with respect to:
  - 1. Up to ten (10) grams of any substance containing cannabis is guilty and shall be fined not less than one hundred dollars (\$100.00) and not to exceed two hundred dollars (\$200.00) for each offense.
  - 2. More than ten (10) grams but not more than thirty (30) grams of any substance containing cannabis is guilty and shall be fined two hundred fifty dollars (\$250.00) for each offense.
- C. No period of imprisonment shall be sought or imposed for violating this section. (Amend ed during 2001 codification; prior code § 42.20)

(Ord. No. 2017-0-01, § 2, 1-3-2017)

**9.08.55 - Sale and possession of drug paraphernalia.**

A. Definitions. Whenever the following words or terms are used in this section they shall have the meanings ascribed to them below:

"Cannabis" means marijuana, hashish, and other substances which are identified as including any parts of the plant Cannabis sativa, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinal derivatives, including its of such plant which is incapable of germination.

"Controlled substance" means a drug, substance, or immediate precursor as defined in Article II of the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq.

"Deliver" means the actual constructive, or attempted transfer of possession, with or without consideration, whether or not there is an agency relationship.

"Drug paraphernalia" means all equipment, products, and materials of any kind which are peculiar to and marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance. This includes, but is not limited to:

1. Kits peculiar to and marketed for use in manufacturing, compounding, converting, producing, processing, or preparing cannabis or a controlled substance;
2. Isomerization devices peculiar to and marketed for use in increasing the potency of any species of plant which is cannabis or a controlled substance;
3. Testing equipment peculiar to and marketed for private home use in identifying or in analyzing the strength, effectiveness, or purity of cannabis or a controlled substance;
4. Diluents and adulterants peculiar to and marketed for cutting cannabis or a controlled substance by private persons;
5. Objects peculiar to and marketed for use in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body including, where applicable, the following items:
  - a. Water pipes;
  - b. Carburetion tubes and devices;
  - c. Smoking and carburetion masks;
  - d. Miniature cocaine spoons and cocaine vials;
  - e. Carburetor pipes;
  - f. Electric pipes;
  - g. Air-driven pipes;
  - h. Chillums;
  - i. Bongs;
  - j. Ice pipes or chillers;
6. Any item whose purpose, as announced or described by the seller, is for use in violation of this section.

B. Sale or Delivery.

1. Any person who keeps for sale, offers for sale, sells, or delivers for any commercial consideration any item of drug paraphernalia may be fined up to seven hundred fifty dollars (\$750.00) for each such item.
2. Any store, place, or premises where any item of drug paraphernalia is kept for sale, offered for sale, sold, or delivered for any commercial consideration is declared to be a public nuisance, subject to the abatement procedures contained in [Title 8](#) of this code.

C. Possession.

1. A fine not exceeding seven hundred fifty dollars (\$750.00) may be imposed on a person who knowingly possesses 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.
2. In determining intent under subsection 1, the proximity of the cannabis or controlled substances to drug paraphernalia, or the presence of cannabis or drug paraphernalia, may be considered.

D. Exempt Items.

1. This section shall not apply to:
  - a. Items marketed for use in the preparation, compounding, packaging, labeling, or other use of cannabis or a controlled substance as an incident to lawful research, teaching, or chemical analysis and not for sale; or

- b. Items marketed for, or historically and customarily used in connection with the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, or inhaling of tobacco or any other lawful substance, including, but not limited to, garden hoses, rakes, sickles, baggies, tobacco pipes, and cigarette-rolling paper; or
    - c. Items listed in subsection [9.08.055\(D\)\(1\)\(b\)](#) above that are marketed for decorative purposes, when such items have been rendered completely inoperable or incapable of being used for any illicit purpose prohibited by this section.
  2. In determining whether or not a particular item is exempted under this subsection, the following factors may be considered:
    - a. The general, usual, customary, and historical use to which the item involved has been put;
    - b. Expert evidence concerning the ordinary or customary use of the item and the effect of any peculiarity in the design or engineering of the device upon its functioning;
    - c. Any written instructions accompanying the delivery of the item concerning the purposes or uses to which the item can or may be put;
    - d. Any oral instructions provided by the seller of the item at the usual time and place of sale or commercial delivery;
    - e. Any national or local advertising concerning the design, purpose, or use of the item involved and the entire context in which such advertising occurs;
    - f. The manner, place, and circumstances in which the item was displayed for sale, as well as any item or items displayed for sale or otherwise exhibited upon the premises where the sale was made;
    - g. Whether the owner or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products; and
    - h. The existence and scope of legitimate uses for the object in the community.

E. Forfeiture and Seizure of Property.

1. All drug paraphernalia is subject to forfeiture by the local law enforcement agency.
2. Property subject to forfeiture under this section may be seized by any peace officer upon process issued by any court having jurisdiction over the property. Pursuant to 720 ILCS 600/5, judgments in favor of the village in a forfeiture proceeding based upon this section against a person's specific property shall serve as process authorizing a police officer to seize such property without further process.
3. Pursuant to 720 ILCS 600/5, seizure may be made without process if there is probable cause to believe that the property is directly dangerous to health or safety and existing circumstances do not allow reasonable time for the officer to obtain lawful process.
4. The presence of items which are deemed to violate this section or are otherwise subject to its forfeiture provisions in an inventory shall not subject the entire inventory to seizure or forfeiture.
5. Property taken or detained under this section shall not be subject to replevin, but is deemed to be in the custody of the law enforcement department, subject only to the order and judgments of the circuit court having jurisdiction over the forfeiture proceedings. Property seized under this section may be placed under seal.
6. No disposition may be made of the property under seal until the validity of the seizure has been determined in the circuit court, unless such court upon application therefor, orders the sale of perishable substances and the deposit of the proceeds of the sale with the clerk of the court. The circuit court shall rule on the validity of the seizure within thirty (30) days after the seizure, unless a continuance is obtained by a person from whom the items were seized or a person who otherwise has standing to complain, or by the village for good cause shown. In no event shall a continuance be granted to the village pursuant to the section extend beyond thirty (30) days. If judgment is entered in favor of the person from whom the property is seized, all seized property shall be returned immediately. Pursuant to 720 ILCS 66/5, appeals from orders of the circuit court shall be heard within sixty (60) days from the date judgment is entered. Judgments in favor of the person entitled to possession of the subject property shall serve as a mandate to the agency holding said property to



return the same forthwith.

7. When property is forfeited under this section, the chief administrative officer of the seizing department or agency may retain it for official use, or forward it to the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice, or its successor agency, for disposition.

F. Intent. It is the intent of the village that the provisions of this section shall be substantially in accordance with the requirements of the State Drug Paraphernalia Control Act, 720 ILCS 600/1 et seq. (Ord. 99-0-40 § 2)

*Revised March 7, 2013*

*Revised March 31, 2014*

*Revised April 1, 2015*

*Revised April 1, 2016*

*Revised March 30, 2017*

*Revised March 30, 2018*

*Revised March 22, 2019*

*Revised July 22, 2021*