

PROPOSED POSSESSION OF CONTROLLED SUBSTANCES REFERENCE CHART

DRUG	AMOUNT	LEVEL
Schedule I or II*	< bulk	F-5
	≥ bulk → < 50 x bulk	F-3
	≥ 50 → < 100 x bulk	F-2
	≥ 100 x bulk	F-1 (MDO)
Schedule III, IV, or V*	< bulk	M-1†
	≥ bulk → < 50 x bulk	F-4
	≥ 50 x bulk	F-2
Marijuana	< 100 g	MM
	≥ 100 g → < 200 g	M-4
	≥ 200 g → < 1 kg	F-5
	≥ 1 kg → < 20 kg	F-4
	≥ 20 kg	F-2
Cocaine: Powder or Crack	< 10 g	F-5
	≥ 10 g → < 27 g	F-4
	≥ 27 g → < 100 g	F-3
	≥ 100 g → < 500 g	F-2
	≥ 500 g	F-1 (MDO)
LSD: Solid	< 50 UD	F-5
	≥ 50 UD → < 250 UD	F-4
	≥ 250 UD → < 5000 UD	F-3
	≥ 5000 UD	F-2
LSD: Liquid	< 5 g	F-5
	≥ 5 g → < 25 g	F-4
	≥ 25 g → < 500 g	F-3
	≥ 500 g	F-2
Heroin/Fentanyl♦	< 1 g; < 10 UD	F-5
	≥ 1 g → < 10 g; ≥ 10 UD → < 100 UD	F-4
	≥ 10 g → < 50 g; ≥ 100 UD → < 500 UD	F-3
	≥ 50 g → < 250 g; ≥ 500 UD → < 2500 UD	F-1
	≥ 250 g; ≥ 2500 UD	F-1 (MDO)
Hashish: Solid	< 5 g	MM
	≥ 5 g → < 10 g	M-4
	≥ 10 g → < 50 g	F-5
	≥ 50 g → < 1 kg	F-4
	≥ 1 kg	F-2
Hashish: Liquid	< 1 g	MM
	≥ 1 g → < 2 g	M-4
	≥ 2 g → < 10 g	F-5
	≥ 10 g → < 200 g	F-4
	≥ 200 g	F-2
Controlled Substance Analog	< 10g	F-5
	≥ 10 g → < 30 g	F-4
	≥ 30 g → < 50 g	F-2
	≥ 50 g	F-1 (MDO)

* The schedule of controlled substances is in O.R.C. §3719.41.

^ Minor misdemeanor (MM) on first offense, M-3 on a subsequent offense.

MDO (Major Drug Offender) = Mandatory maximum term from F-1 range

† F-5 if the offender previously has been convicted of a drug abuse offense.

♦ Heroin/Fentanyl shall include any derivative of either heroin or fentanyl and any mixture containing both heroin and fentanyl.

Note: As used in this section, "drug" includes any substance that is represented to be a drug.

CURRENT POSSESSION OF CONTROLLED SUBSTANCES REFERENCE CHART

DRUG	AMOUNT	LEVEL	GUIDANCE
Schedule I or II*	< bulk	F-5	Div. B
	≥ bulk → < 5 x bulk	F-3	In Favor
	≥ 5 → < 50 x bulk	F-2	Mandatory
	≥ 50 → < 100 x bulk	F-1	Mandatory
	≥ 100 x bulk	F-1	MDO
Schedule III, IV, or V*	< bulk	M-1†	None
	≥ bulk → < 5 x bulk	F-4	Div. C
	≥ 5 bulk → < 50 x bulk	F-3	In Favor
	≥ 50 x bulk	F-2	Mandatory
Marijuana	< 100 g	MM	None
	≥ 100 g → < 200 g	M-4	None
	≥ 200 g → < 1 kg	F-5	Div. B
	≥ 1 kg → < 5 kg	F-4	Div. C
	≥ 5 kg → < 20 kg	F-3	In Favor
	≥ 20 kg → < 40 kg	F-2	Mandatory 5,6,7, or 8 years
	≥ 40 kg	F-2	Mandatory F-2 Max
Cocaine: Powder or Crack	< 5 g	F-5	Div. B
	≥ 5 g → < 10 g	F-4	Div. B
	≥ 10 g → < 20 g	F-3	In Favor°
	≥ 20 g → < 27 g	F-2	Mandatory
	≥ 27 g → < 100 g	F-1	Mandatory
	≥ 500 g	F-1	MDO
LSD:	< 10 UD	F-5	Div. B
	≥ 10 UD → < 50 UD	F-4	Div. C
	≥ 50 UD → < 250 UD	F-3	In Favor
	≥ 250 UD → < 1000 UD	F-2	Mandatory
	≥ 1000 UD → < 5000 UD	F-1	Mandatory
Solid	≥ 5000 UD	F-1	MDO
LSD:	< 1 g	F-5	Div. B
	≥ 1 g → < 5 g	F-4	Div. C
	≥ 5 g → < 25 g	F-3	In Favor
	≥ 25 g → < 100 g	F-2	Mandatory
	≥ 100 g → < 500 g	F-1	Mandatory
Liquid	≥ 500 g	F-2	MDO
Heroin	< 1 g; < 10 UD	F-5	Div. B
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	Div. C
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	In Favor
	≥ 10 g → < 50 g; ≥ 100 UD → < 500 UD	F-2	Mandatory
	≥ 50 g → < 250 g; ≥ 500 UD → < 2500 UD	F-1	Mandatory
	≥ 250 g; ≥ 2500 UD	F-1	MDO
Hashish: Solid	< 5 g	MM	None
	≥ 5 g → < 10 g	M-4	None
	≥ 10 g → < 50 g	F-5	Div. B
	≥ 50 g → < 250 g	F-4	Div. C
	≥ 250 g → < 1 kg	F-3	In Favor
	≥ 1 kg → < 2 kg	F-2	Mand. 5,6,7, or 8 years
	≥ 2 kg	F-2	Mandatory F-2 max.
Hashish: Liquid	< 1 g	MM	None
	≥ 1 g → < 2 g	M-4	None
	≥ 2 g → < 10 g	F-5	Div. B
	≥ 10 g → < 50 g	F-4	Div. C
	≥ 50 g → < 200 g	F-3	In Favor
	≥ 200 g → < 400 g	F-2	Mand. 5,6,7, or 8
	≥ 400 g	F-2	Mandatory F-2 max.

Controlled Substance Analog	< 10g	F-5	Div. B
	≥ 10 g → < 20 g	F-4	In Favor
	≥ 20 g → < 30 g	F-3	In Favor
	≥ 30 g → < 40 g	F-2	Mandatory
	≥ 40 g → < 50 g	F-1	Mandatory
	≥ 50 g	F-1	MDO

* The schedule of controlled substances is in O.R.C. §3719.41.

In Favor = A rebuttable presumption in favor of imposing a prison term

[^] Minor misdemeanor (MM) on first offense, M-3 on a subsequent offense.

Div. B = Sentencing is guided by R.C. §2929.13(B), the rules for F-4s and F-5s.

S or J = The offense occurred in the vicinity of a school or juvenile.

Div. C = Sentencing is guided by R.C. §2929.13(C).

MDO (Major Drug Offender) = Mandatory maximum term from F-1 range, R.C. 2929.14(A)(1).

In Favor^o = Presumption in favor, but mandatory if 2 or more prior felony drug abuse offenses.

Mand., or Mandatory = Judge must impose a prison term from range available for that offense level.

Note: As used in this section, "drug" includes any substance that is represented to be a drug.