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Chief Justice Maureen O'Connor, Chair • Sara Andrews, Director

# DRUG OFFENSE QUICK REFERENCE GUIDE

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DRUG TRAFFICKING - O.R.C. §2925.03							
DRUG	AMOUNT	LEVEL: S or J		DIVISION: S or J		GUIDANCE: S or J	
Schedule I or II*	< bulk	F-4	F-3	C(1)(a)	C(1)(b)	Div. C	Div. C
	≥ bulk → <5 x bulk	F-3	F-2	C(1)(c)	C(1)(c)	In Favor°	Mand.
	≥ 5 → < 50 x bulk	F-2	F-1	C(1)(d)	C(1)(d)	Mand.	Mand.
	≥50 → <100 x bulk	F-1	F-1	C(1)(e)	C(1)(e)	Mand.	Mand.
Schedule III, IV, V*	≥ 100 x bulk	F-1	F-1	C(1)(f)	C(1)(f)	MDO	MDO
	< bulk	F-5	F-4	C(2)(a)	C(2)(b)	Div. B	Div. C
	≥ bulk → <5 x bulk	F-4	F-3	C(2)(c)	C(2)(c)	Div. B	In Favor
	≥ 5 → < 50 x bulk	F-3	F-2	C(2)(d)	C(2)(d)	In Favor	In Favor
Marijuana	≥ 50 x bulk	F-2	F-1	C(2)(e)	C(2)(e)	Mand.	Mand.
	Gift ≤ 20 g	MM^	M-3	C(3)(h)	C(3)(h)	None	None
	< 200 g	F-5	F-4	C(3)(a)	C(3)(b)	Div. B	Div. B
	≥ 200 g → < 1 kg	F-4	F-3	C(3)(c)	C(3)(c)	Div. B	Div. C
	≥ 1 kg → < 5 kg	F-3	F-2	C(3)(d)	C(3)(d)	Div. C	In Favor
	≥ 5 kg → < 20 kg	F-3	F-2	C(3)(e)	C(3)(e)	In Favor	In Favor
	≥ 20 kg → < 40 kg	F-2	F-1	C(3)(f)	C(3)(f)	Mand. 5, 6, 7, 8 yrs	Mand. F-1 max.
	≥ 40 kg	F-2	F-1	C(3)(g)	C(3)(g)	Mand. F-2 max	Mand. F-1 max
Cocaine: Powder or Crack	< 5g	F-5	F-4	C(4)(a)	C(4)(b)	Div. B	Div. C
	≥ 5 g → < 10 g	F-4	F-3	C(4)(c)	C(4)(c)	Div. B	In Favor
	≥ 10 g → < 20 g	F-3	F-2	C(4)(d)	C(4)(d)	In Favor°	Mand.
	≥ 20 g → < 27 g	F-2	F-1	C(4)(e)	C(4)(e)	Mand.	Mand.
	≥ 27 g → < 100 g	F-1	F-1	C(4)(f)	C(4)(f)	Mand.	Mand.
	≥ 100 g	F-1	F-1	C(4)(g)	C(4)(g)	MDO	MDO
LSD: Solid	< 10 UD	F-5	F-4	C(5)(a)	C(5)(b)	Div. B	Div. C
	≥ 10 UD → < 50 UD	F-4	F-3	C(5)(c)	C(5)(c)	Div. B	In Favor
	≥ 50 UD → < 250 UD	F-3	F-2	C(5)(d)	C(5)(d)	In Favor°	Mand.
	≥ 250 UD → < 1000 UD	F-2	F-1	C(5)(e)	C(5)(e)	Mand.	Mand.
	≥ 1000 UD → < 5000UD	F-1	F-1	C(5)(f)	C(5)(f)	Mand.	Mand.
	≥ 5000 UD	F-1	F-1	C(5)(g)	C(5)(g)	MDO	MDO
LSD: Liquid	< 1 g	F-5	F-4	C(5)(a)	C(5)(b)	Div. B	Div. C
	≥ 1 g → < 5 g	F-4	F-3	C(5)(c)	C(5)(c)	Div. B	In Favor
	≥ 5 g → < 25 g	F-3	F-2	C(5)(d)	C(5)(d)	In Favor°	Mand.
	≥ 25 g → < 100 g	F-2	F-1	C(5)(e)	C(5)(e)	Mand.	Mand.
	≥ 100 g → < 500 g	F-1	F-1	C(5)(f)	C(5)(f)	Mand.	Mand.
	≥ 500 g	F-1	F-1	C(5)(g)	C(5)(g)	MDO	MDO

\* The schedule of controlled substances is in [§3719.41].

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

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

**MDO** (Major Drug Offender) = Mandatory maximum term from F-1 range, [§2929.14(A)(1)].

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

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

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

**Div. C** = Sentencing is guided by [§2929.13(C)].

**In Favor°** = Presumption in favor, but mandatory if 2 or more prior felony drug-abuse offenses.

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

## ADDITIONAL FOOTNOTES FOR DRUG MANUFACTURING AND CULTIVATION

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

**In Favor°°** = Presumption in favor, but mandatory 2- or 5-year minimum if 2 or more priors.

◆ Minimum prison term of 3 years for first offense, 5 years for second offense.

♣ If violation involves the sale or possession of such and court finds MDO, then mandatory max from range.

∞ Minimum prison term of 4 years for first offense, 5 years for second offense. Includes “public premises.”

DRUG TRAFFICKING - CONT.; O.R.C. §2925.03							
DRUG	AMOUNT	LEVEL: S or J		DIVISION: S or J		GUIDANCE: S or J	
<b>Heroin</b>	< 1 g; < 10 UD	F-5	F-4	C(6)(a)	C(6)(b)	Div. B	Div. C
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	F-3	C(6)(c)	C(6)(c)	Div. B	In Favor
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	F-2	C(6)(d)	C(6)(d)	In Favor	In Favor
	≥ 10 g → < 50 g; ≥ 100 UD → < 500 UD	F-2	F-1	C(6)(e)	C(6)(e)	Mand.	Mand.
	≥ 50 g → < 100 g; ≥ 500 UD → < 1000 UD	F-1	F-1	C(6)(f)	C(6)(f)	Mand.	Mand.
	≥ 250 g; ≥ 2500 UD	F-1	F-1	C(6)(g)	C(6)(g)	MDO	MDO
<b>Hashish: Solid</b>	< 10 g	F-5	F-4	C(7)(a)	C(7)(b)	Div. B	Div. B
	≥ 10 g → < 50 g	F-4	F-3	C(7)(c)	C(7)(c)	Div. B	Div. C
	≥ 50 g → < 250 g	F-3	F-2	C(7)(d)	C(7)(d)	Div. C	In Favor
	≥ 250 g → < 1 kg	F-3	F-2	C(7)(e)	C(7)(e)	In Favor	In Favor
	≥ 1 kg - < 2 kg	F-2	F-1	C(7)(f)	C(7)(f)	Mand 5, 6, 7, or 8	Mand. F-1 max.
	≥ 2 kg	F-2	F-1	C(7)(g)	C(7)(g)	Mand. F-2 max.	Mand. F-1 max.
<b>Hashish: Liquid</b>	< 2 g	F-5	F-4	C(7)(a)	C(7)(b)	Div. B	Div. B
	≥ 2 g → < 10 g	F-4	F-3	C(7)(c)	C(7)(c)	Div. B	Div. C
	≥ 10 g → < 50 g	F-3	F-2	C(7)(d)	C(7)(d)	Div. C	In Favor
	≥ 50 g → < 200 g	F-3	F-2	C(7)(e)	C(7)(e)	In Favor	In Favor
	≥ 200 g - < 400 g	F-2	F-1	C(7)(f)	C(7)(f)	Mand 5, 6, 7, or 8	Mand. F-1 max.
	≥ 400 g	F-2	F-1	C(7)(g)	C(7)(g)	Mand. F-2 max.	Mand. F-1 max.
<b>Controlled Substance Analog</b>	< 10g	F-5	F-4	C(8)(a)	C(8)(b)	Div. C	Div. C
	≥ 10 g → < 20 g	F-4	F-3	C(8)(c)	C(8)(c)	Div. B	In Favor
	≥ 20 g → < 30 g	F-3	F-2	C(8)(d)	C(8)(d)	In Favor	In Favor
	≥ 30 g → < 40 g	F-2	F-1	C(8)(e)	C(8)(e)	Mand.	Mand.
	≥ 40 g → < 50 g	F-1	F-1	C(8)(f)	C(8)(f)	Mand.	Mand.
	≥ 50 g	F-1	F-1	C(8)(g)	C(8)(g)	MDO	MDO

DRUG POSSESSION - O.R.C. §2925.11				
DRUG	AMOUNT	LEVEL	DIVISION	GUIDANCE
<b>Schedule I or II*</b>	< bulk	F-5	C(1)(a)	Div. B
	≥ bulk → < 5 x bulk	F-3	C(1)(b)	In Favor
	≥ 5 → < 50 x bulk	F-2	C(1)(c)	Mandatory
	≥ 50 → < 100 x bulk	F-1	C(1)(d)	Mandatory
	≥ 100 x bulk	F-1	C(1)(e)	MDO
<b>Schedule III, IV, V*</b>	< bulk	M-1†	C(2)(a)	None
	≥ bulk → < 5 x bulk	F-4	C(2)(b)	Div. C
	≥ 5 → < 50 x bulk	F-3	C(2)(c)	In Favor
	≥ 50 x bulk	F-2	C(2)(d)	Mandatory
<b>Marijuana</b>	< 100 g	MM	C(3)(a)	None
	≥ 100 g → < 200 g	M-4	C(3)(b)	None
	≥ 200 g → < 1 kg	F-5	C(3)(c)	Div. B
	≥ 1 kg → < 5 kg	F-3	C(3)(d)	Div. C
	≥ 5 kg → < 20 kg	F-3	C(3)(e)	In Favor
	≥ 20 kg → < 40 kg	F-2	C(3)(f)	Mand. 5, 6, 7, or 8 years
	≥ 40 kg	F-2	C(3)(g)	Mandatory F-2 max.
<b>Cocaine: Powder</b>	< 5g	F-5	C(4)(a)	Div. B
	≥ 5 g → < 10 g	F-4	C(4)(b)	Div. B
	≥ 10 g → < 20 g	F-3	C(4)(c)	In Favor°
	≥ 20 g → < 27 g	F-2	C(4)(d)	Mandatory
	≥ 27 g → < 100 g	F-1	C(4)(e)	Mandatory
	≥ 100 g	F-1	C(4)(f)	MDO
<b>LSD: Solid</b>	< 10 UD	F-5	C(5)(a)	Div. B
	≥ 10 UD → < 50 UD	F-4	C(5)(b)	Div. C
	≥ 50 UD → < 250 UD	F-3	C(5)(c)	In Favor
	≥ 250 UD → < 1000 UD	F-2	C(5)(d)	Mandatory
	≥ 1000 UD → < 5000 UD	F-1	C(5)(e)	Mandatory
	≥ 5000 UD	F-1	C(5)(f)	MDO
<b>LSD: Liquid</b>	< 1 g	F-5	C(5)(a)	Div. B
	≥ 1 g → < 5 g	F-4	C(5)(b)	Div. C
	≥ 5 g → < 25 g	F-3	C(5)(c)	In Favor
	≥ 25 g → < 100 g	F-2	C(5)(d)	Mandatory
	≥ 100 g → < 500 g	F-1	C(5)(e)	Mandatory
	≥ 500 g	F-1	C(5)(f)	MDO

DRUG POSSESSION - CONT.; O.R.C. §2925.11				
DRUG	AMOUNT	LEVEL	DIVISION	GUIDANCE
<b>Heroin</b>	<1 g; < 10 UD	F-5	C(6)(a)	Div. B
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	C(6)(b)	Div. C
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	C(6)(c)	In Favor
	≥ 10 g → < 50 g; ≥ 100 UD → < 500 UD	F-2	C(6)(d)	Mandatory
	≥ 50 g → < 100 g; ≥ 500 UD → < 1000 UD	F-1	C(6)(e)	Mandatory
	≥ 100 g; ≥ 1000 UD	F-1	C(6)(f)	MDO
<b>Hashish: Solid</b>	< 5 g	MM	C(7)(a)	None
	≥ 5 g → < 10 g	M-4	C(7)(b)	None
	≥ 10 g → < 50 g	F-5	C(7)(c)	Div. B
	≥ 50 g → < 250 g	F-3	C(7)(d)	Div. C
	≥ 250 g → < 1 kg	F-3	C(7)(e)	In Favor
	≥ 1 kg - < 2 kg	F-2	C(7)(f)	Mand. 5, 6, 7, or 8
≥ 2 kg	F-2	C(7)(g)	Mandatory F-2 max.	
<b>Hashish: Liquid</b>	< 1 g	MM	C(7)(a)	None
	≥ 1 g → < 2 g	M-4	C(7)(b)	None
	≥ 2 g → < 10 g	F-5	C(7)(c)	Div. B
	≥ 10 g → < 50 g	F-3	C(7)(d)	Div. C
	≥ 50 g → < 200 g	F-3	C(7)(e)	In Favor
	≥ 200 g - < 400 g	F-2	C(7)(f)	Mand. 5, 6, 7, or 8
≥ 400 g	F-2	C(7)(g)	Mandatory F-2 max.	
<b>Controlled Substance Analog</b>	< 10g	F-5	C(8)(a)	Div. B
	≥ 10 g → < 20 g	F-4	C(8)(b)	In Favor
	≥ 20 g → < 30 g	F-3	C(8)(c)	In Favor
	≥ 30 g → < 40 g	F-2	C(8)(d)	Mandatory
	≥ 40 g → < 50 g	F-1	C(8)(e)	Mandatory
	≥ 50 g	F-1	C(8)(f)	MDO

ASSEMBLY OR POSSESSION OF CHEMICALS - §2925.041							
TO MAKE:	AMOUNT	LEVEL: S or J		DIVISION: S or J		GUIDANCE: S or J	
Schedule I or II*	Any	F-3	F-2	(C)	(C)	Div. C	Div. C
Methamphetamine	Any	F-3	F-2	(C)(1)	(C)(2)	In Favor <sup>°°</sup>	Mand. 3♦

DRUG MANUFACTURING AND CULTIVATION - O.R.C. §2925.04							
DRUG	AMOUNT	LEVEL: S or J		DIVISION: S or J		GUIDANCE: S or J	
<b>Schedule I or II*</b>	Any	F-2	F-1	C(2)/E	C(2)/E	Mand.	MDO♣
<b>Methamphetamine</b>	Any	F-2 ♦		C(3)/E		Mand. 3♦	MDO♣
			F-1∞		C(3)/E	Mand. 4∞	MDO♣
<b>Schedule III, IV, or V*</b>	Any	F-3	F-2	C(4)	C(4)	In Favor	
<b>Marijuana</b>	< 100 g	MM	M-4	C(5)(a)	C(5)(a)	None	None
	≥ 100g → < 200g	M-4	M-3	C(5)(b)	C(5)(b)	None	None
	≥ 200 g → < 1 kg	F-5	F-4	C(5)(c)	C(5)(c)	Div. B	Div. B
	≥ 1 kg → < 5 kg	F-3	F-2	C(5)(d)	C(5)(d)	Div. C	Div. C
	≥ 5 kg → < 20 kg	F-3	F-2	C(5)(e)	C(5)(e)	In Favor	In Favor
≥ 20 kg	F-2	F-1	C(5)(f)	C(5)(f)	Mand. 8 years	Mand. F-1 max	



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