

DRUG OFFENSE QUICK REFERENCE GUIDE

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DRUG TRAFFICKING – O.R.C. §2925.03

DRUG	AMOUNT	LEVEL	+	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.
	≥ 100 x bulk	F-1	F-1	C(1)(f)	C(1)(f)	MDO	MDO
Schedule III, IV, V*	< 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
	≥ 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
Marijuana	< 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
	< 5g	F-5	F-4	C(4)(a)	C(4)(b)	Div. B	Div. C
Cocaine: Powder or Crack	≥ 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
	< 10 UD	F-5	F-4	C(5)(a)	C(5)(b)	Div. B	Div. C
LSD: Solid	≥ 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 → < 1,000 UD	F-2	F-1	C(5)(e)	C(5)(e)	Mand.	Mand.
	≥ 1,000 UD → < 5,000 UD	F-1	F-1	C(5)(f)	C(5)(f)	Mand.	Mand.
	≥ 5,000 UD	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.

+ Enhancement: The offense occurred in the vicinity of a school or juvenile.
See note on page 2 regarding the Relapse Reduction Act.

MDO (Major Drug Offender): See [\[§2929.14\(A\)\(1\)\]](#) and [\[§2941.140\]](#).

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.

DRUG TRAFFICKING – CONT.; O.R.C. §2925.03

DRUG	AMOUNT	LEVEL	S or J	DIVISION: S or J		GUIDANCE: S or J	
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 ^o	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
Heroin	< 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 → < 1,000 UD	F-1	F-1	C(6)(f)	C(6)(f)	Mand.	Mand.
	≥ 100 g; ≥ 1,000 UD	F-1	F-1	C(6)(g)	C(6)(g)	MDO	MDO
Hashish: Solid	< 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.
Hashish: Liquid	< 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.
Controlled Substance Analog	< 10 g	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

THE RELAPSE REDUCTION ACT

134 GA Senate Bill 25, known as “The Relapse Reduction Act” enhances the penalty for violations of RC 2925.03 which are “committed in the vicinity of a substance addiction services provider or a recovering addict” as defined in 2925.01(QQ). Trafficking on the premises of such a facility, or with knowledge that the offender is within 500 feet of such facility, enhances the penalty of the offense as though it was committed in the vicinity of a school or juvenile. Trafficking to a person receiving substance abuse treatment, or who has received substance abuse treatment within the past 30 days, with knowledge of such status also enhances the penalty of the trafficking offense.

DRUG TRAFFICKING – CONT.; O.R.C. §2925.03							
DRUG	AMOUNT	LEVEL	S or J	DIVISION: S or J		GUIDANCE: S or J	
Fentanyl-Related Compound [▲] (Effective 10/31/18)	< 1 g; < 10 UD	F-5	F-4	C(9)(a)	C(9)(b)	Div. B	Div. C
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	F-3	C(9)(c)	C(9)(c)	Div. B	In Favor
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	F-2	C(9)(d)	C(9)(d)	In Favor	In Favor
	≥ 10 g → < 20 g; ≥ 100 UD → < 200 UD	F-2	F-1	C(9)(e)	C(9)(e)	Mandatory	Mandatory
	≥ 20 g → < 50 g; ≥ 200 UD → < 500 UD	F-1	F-1	C(9)(f)	C(9)(f)	Mandatory	Mandatory
	≥ 50 g → < 100 g; ≥ 500 UD → < 1,000 UD	F-1	F-1	C(9)(g)	C(9)(g)	Mandatory max F-1	Mandatory max F-1
	≥ 100 g; ≥ 1,000 UD	F-1	F-1	C(9)(h)	C(9)(h)	MDO•	MDO•

ADDITIONAL FOOTNOTE FOR TRAFFICKING IN A FENTANYL-RELATED COMPOUND

- ▲ If the drug involved in the violation is a **combination of a fentanyl-related compound and marijuana**, the offender is guilty of trafficking in marijuana and shall be punished under [\[§2925.03\(C\)\(3\)\]](#) unless the state proves offender knows has reason to know the marijuana involved contains a fentanyl-related compound. See [\[§2925.03\(C\)\(10\)\]](#).
- [\[§2941.1410\]](#) provides an additional MDO specification with an additional 3-, 4-, 5-, 6-, 7-, or 8-year mandatory prison term for trafficking in a fentanyl-related compound.

DRUG POSSESSION – O.R.C. §2925.11				
DRUG	AMOUNT	LEVEL	DIVISION: S or J	GUIDANCE
Schedule I or II*	< 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
Schedule III, IV, V*	< 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
Marijuana	< 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.	

DRUG POSSESSION – CONT.; O.R.C. §2925.11

DRUG	AMOUNT	LEVEL	DIVISION: S or J	GUIDANCE
Cocaine	< 5 g	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
LSD: Solid	< 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 → < 1,000 UD	F-2	C(5)(d)	Mandatory
	≥ 1,000 UD → < 5,000 UD	F-1	C(5)(e)	Mandatory
	≥ 5,000 UD	F-1	C(5)(f)	MDO
LSD: Liquid	< 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
Heroin	< 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 → < 1,000 UD	F-1	C(6)(e)	Mandatory
	≥ 100 g; ≥ 1,000 UD	F-1	C(6)(f)	MDO
Hashish: Solid	< 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.
Hashish: Liquid	< 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.
Controlled Substance Analog	< 10 g	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

DRUG POSSESSION – CONT.; O.R.C. §2925.11				
DRUG	AMOUNT	LEVEL	DIVISION: S or J	GUIDANCE
Fentanyl-Related Compound ♣ <i>(Effective 10/31/18)</i>	< 1 g; < 10 UD	F-5	C(11)(a)	Div. B
	≥ 1 g → < 5 g; ≥ 10 UD → < 50 UD	F-4	C(11)(b)	Div. C
	≥ 5 g → < 10 g; ≥ 50 UD → < 100 UD	F-3	C(11)(c)	In Favor
	≥ 10 g → < 20 g; ≥ 100 UD → < 200 UD	F-2	C(11)(d)	Mandatory
	≥ 20 g → < 50 g; ≥ 200 UD → < 500 UD	F-1	C(11)(e)	Mandatory
	≥ 50 g → < 100 g; ≥ 500 UD → < 1,000 UD	F-1	C(11)(f)	Mandatory F-1 Max
	≥ 100 g; ≥ 1,000 UD	F-1	C(11)(g)	MDO•

ADDITIONAL FOOTNOTES FOR POSSESSION OF A FENTANYL-RELATED COMPOUND

- ♣ If the drug involved in the violation is a combination of a fentanyl-related compound and marijuana, the offender is guilty of possession of marijuana and shall be punished under [§2925.11(C)(3)], unless the state proves the offender knows or has reason to know the marijuana involved contains a fentanyl-related compound. See [§2925.11(C)(9)].

If the drug involved in the violation is a combination of a fentanyl-related compound and any schedule III, IV, or V drug, the offender is guilty of possession of drugs and shall be punished under [§2925.11(C)(2)], unless the state proves offender knows or has reason to know the drug involved contains a fentanyl-related compound. See [§2925.11(C)(10)].

- [§2941.1410] provides an additional MDO specification of an additional 3-, 4-, 5-, 6-, 7-, or 8-year mandatory prison term when the substance involved is a fentanyl-related compound.

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°°	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	
Schedule I or II*	Any	F-2	F-1	C(2)/E	C(2)/E	Mand.	MDO♣
Methamphetamine	Any	F-2♦		C(3)/E		Mand. 3♦	MDO♣
			F-1∞		C(3)/E	Mand. 4∞	MDO♣
Schedule III, IV, or V*	Any	F-3	F-2	C(4)	C(4)	In Favor	
Marijuana	< 100 g	MM	M-4	C(5)(a)	C(5)(a)	None	None
	≥ 100 g → < 200 g	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

ADDITIONAL FOOTNOTES FOR DRUG MANUFACTURING & 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.”

