

## FEDERAL ILLEGAL POSSESSION PENALTIES CONTROLLED SUBSTANCES

First conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both. There are special sentencing provisions for possession of crack cocaine: mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, depending on amount of crack possessed and number of convictions.

In addition, there is forfeiture of personal and real property used to possess, facilitate, transport, or conceal possession of controlled substances. There are also civil fines of up to \$10,000 and denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

(21 U.S.C. 844 (a); 21 U.S.C. 853(a) (2); 881 (a) (7); 21 U.S.C. 881(a) (4); 21 U.S.C. 844a; 21 U.S.C. 853 a)

## FEDERAL TRAFFICKING PENALTIES (Examples)

	Minimum		Maximum	
	1st Offense	2nd Offense	1st Offense	2nd Offense
Marijuana	NMT 5 Yrs &	NMT 10 Yrs &	NLT 10 Yrs &	NLT 20 Yrs. &
Hashish	NMT \$250,000	NMT \$500,000	NMT Life &	NMT Life &
Hashish Oil			NMT \$4,000,000 (If death/serious injury NLT 20 Yrs.)	NMT \$8,000,000 (If death/serious injury NLT Life)
Amphetamines	NLT 5 Yrs	NLT 10 Yrs	NLT 10 Yrs	NLT 20 Yrs
Heroin	NMT 40 Yrs &	NMT Life &	NMT Life &	NMT Life &
Cocaine	NMT \$2,000,000	NMT \$4,000,000	NMT \$4,000,000	NMT \$8,000,000
PCP	(If death/serious	(If death/serious	(If death/serious	(If death/serious
LSD	injury NLT	injury NLT	injury NLT	injury NLT Life)
Cocaine Base	20 years)	20 years)	20 years)	
Fentanyl				

NOTE: NMT- Not More Than    NLT - Not Less Than

### Local Information

*An EEO/Affirmative Action System (M/F/H)*

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