



ILLINOIS STATE POLICE
Division of Forensic Services

Bruce Rauner
Governor

July 29, 2016

Leo P. Schmitz
Director

Dear User Agency:

The goal of the Illinois State Police's (ISP) forensic science laboratory system is to meet the needs of the Illinois criminal justice system by providing high quality, forensic analysis of evidence in criminal cases. Senate Bill 2228 passed both houses and has now been signed by the Governor with an immediate effective date. This memo serves as guidance on the impact of provisions in the bill as they relate to evidence submissions to the ISP Forensic Sciences Command (FSC) laboratories.

The ISP FSC only accepts cases for criminal prosecutions and does not accept or analyze civil citation cases. The first provision of this legislative bill relates to a change in the weight limitations for suspected cases involving criminal possession of Cannabis (720 ILCS 550/4). The change removes the 2.5 gram weight limit making the lowest weight limit more than 10 grams for criminal prosecution. The removal of the 2.5 gram weight limit is specific to possession cases only; the 2.5 gram weight limit is still in place as it relates to manufacture/delivery (550/5), trafficking (550/5.1), and delivery on school grounds (550/5.2). Additionally, a related change was made in 720 ILCS 600/3.5 which has reduced the possession of cannabis paraphernalia to a civil citation in certain circumstances. Refer to Senate Bill 2228 for additional details.

The second key provision of this legislative bill establishes an intoxication level of tetrahydrocannabinol (THC), the active substance in Cannabis, in blood or other bodily fluids. Currently, the ISP FSC is **ONLY** able to *qualitatively* detect the inactive THC metabolite in urine. The ISP FSC is in the process of taking appropriate steps toward providing *quantitative* analysis for THC levels in blood, but this will take a significant amount of time. Until such time as this service can be offered by ISP FSC, law enforcement agencies will need to contract for the services of outside resources (i.e. qualified private toxicology laboratories) for the THC quantitation in blood. Please direct any questions to your local ISP FSC laboratory.

Respectfully,


Colonel Jill Rizzs