

Office of the Kane County State's Attorney



JOSEPH H. McMAHON

State's Attorney

Kane County Judicial Center
37W777 Route 38 Suite 300
St. Charles, Illinois 60175

General Offices: (630) 232-3500
Contact:
Christopher Nelson (630) 232-3500

MONTGOMERY MAN PLEADS GUILTY TO POSSESSING 42 POUNDS OF MARIJUANA-LACED CHOCOLATE

June 6, 2019

A Montgomery man is headed to prison for possessing more than 42 pounds of candy infused with tetrahydrocannabinol (THC) that he sought to sell.

37-year-old Thomas J. Franzen on May 30, 2019, agreed to a sentence of 4 years' imprisonment in the Illinois Department of Corrections in exchange for a guilty plea to the offense of:

- Unlawful possession of more than 5,000 grams of cannabis, Class 1 felony

Circuit Judge Clint Hull accepted the plea, and ordered Franzen to reappear in court on June 14 to submit medical tests so the judge can determine when Franzen should begin to serve his prison sentence.

Kane County prosecutors stated in court that in February 2014 U.S. Postal workers, having noticed a pattern of suspicious parcels being delivered to Franzen, obtained a search warrant and opened a package sent from a California address that was addressed to Franzen. They found inside more than 19,000 grams of chocolate infused with THC, the chemical in marijuana that causes people to become high. Authorities including the North Central Narcotics Task Force then served a search warrant at Franzen's home on Harmony Drive in Montgomery. Inside his bedroom they found cocaine, more than 100 additional grams of marijuana, along with items that are known to be evidence of drug dealing. These items include a digital scale, more than \$2,000 in cash, ledgers used to track drug sales, materials used for drug packaging, and numerous postal receipts for parcels he had mailed to locations across the U.S. and Canada. Additionally authorities found cannabis hash oil and other drug paraphernalia.

According to Illinois law, Franzen is eligible for day-for-day credit.

Kane County State's Attorney Joe McMahon said:

"In recognition of the seriousness of Mr. Franzen's medical condition, our office reduced a 12-year mandatory minimum sentence to 4 years, of which he is required

to serve only 2 years. We did this in spite of evidence that proves that Mr. Franzen is a drug dealer.

“Evidence from state and federal investigators shows that he has purchased and sold marijuana products across North America. In addition to the evidence found in his home, we also have evidence that he had received multiple packages that raised the suspicion of postal inspectors prior to his receiving the package that led to his arrest.

“As he delayed this prosecution for more than 5 years asserting that his medical condition was preventing him from sitting through a trial and from serving a term in prison, we asked for but never received independent verification that this was true. In fact, Mr. Franzen’s own physician stated that Franzen’s medical condition would not prevent him from sitting through his trial. Mr. Franzen’s lawyer also presented no evidence that Mr. Franzen had sought to legally purchase marijuana for medicinal purposes after Illinois’ medical marijuana law took effect.

“The marijuana-laced product found at Mr. Franzen’s home was not purchased from a medical marijuana business, and the amount he purchased far exceeds what would be used for personal consumption and is evidence that he is a drug dealer.”

Thomas J. Franzen: Age 37 (d.o.b. 4-14-1982), of the 900 block of Harmony Drive, Montgomery, Illinois. Case No. 14CF225.