

Spring 2012

From President Karen L. Gould

Dear Members of the Brooklyn College Community,

We all share a commitment to a campus environment that is safe for all our constituents, and also for our neighbors in the local community.

To this end, it is imperative that we have an environment free from drug and alcohol misuse. Substance abuse is harmful to us all — academically, professionally and personally. Please take a moment to review the City University's Policy on Drug, Tobacco, and Alcohol Education.

In addition, please note that this policy will soon be revised to reflect [CUNY's tobacco-free university policy](#), which is currently being phased in and will take full effect on Sept. 4, 2012. Until then, I encourage you to learn more about what Brooklyn College is doing during this transitional phase to implement the new [tobacco-free initiative](#) and promote smoking-cessation programs.

Thank you for your assistance and continued support in fostering a safe and healthy academic community and workplace.

Sincerely,

Karen L. Gould
President

Revision to the University Policy on Drug, Tobacco, and Alcohol Education

RESOLVED, That the University Policy on Drug and Alcohol Education, adopted by The Board of Trustees of The City University of New York on March 30, 1987, be amended to read as follows:

The City University affirms its continuing commitment to drug, tobacco, and alcohol education on campus. The university is committed to the development and conduct of educational and support programs directed toward the use and abuse of drugs, tobacco, and alcohol, whether legal or illegal. Implementation of this policy, which provides the framework for educational and support programs directed toward the use and abuse of drugs, tobacco, and alcohol, is the responsibility of the individual colleges consistent with their governance plans and established disciplinary procedures.

Each of the individual colleges shall incorporate into its program the annual distribution to each student and employee of the standards of conduct that prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on the college's property or as part of college activities and a statement of the sanctions for violation: a description of the applicable local, state, and federal legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol; a description of the health risks associated with the use of illicit drugs and the abuse of tobacco and alcohol; and a description of any drug-, tobacco-, or alcohol-related counseling, treatment, rehabilitation, or reentry programs available to students or employees.

Each college shall review the effectiveness of its program at least once every two years, implementing such changes as may be necessary.

June 25, 1990

Brooklyn College Statement of Policy on the Presence of Illegal Substances on Campus

Revised November 1996.

The use, sale, or transfer of illegal substances will not be tolerated at Brooklyn College. Unlawful possession or sale of drugs is a crime, subject upon criminal conviction, to prison sentences of up to life imprisonment. No member of the academic community who may be liable for criminal prosecution and conviction may receive special consideration due to his or her status within the college. The campus is not a sanctuary, and should members of the college community violate criminal laws on illicit use, sale, or transfer of drugs, whether on or off campus, they must accept the full legal consequences for their actions.

The police and other law enforcement agencies are required to investigate violations of the law wherever these may occur. Search warrants may be obtained and undercover agents placed on this campus without college approval or knowledge.

Apart from the issue of criminal illegality, the presence of illegal drugs on campus constitutes a disruptive situation within the college community. Muggings and thefts, for example, are reported to increase proportionately in association with drug traffic. An individual who becomes involved with illegal drugs establishes evidence that he or she is in at least indirect contact with an explicitly criminal element. These contacts invite intrusions into the college community by informers to law enforcement agencies and others, thereby undermining the trust and free flow of ideas implicit to the college community.

The college has the authority to prevent disruptive situations that may detract from its educational purposes. Pursuant to that authority, the college hereby serves notice that it will undertake disciplinary proceedings against any member of the academic community who uses, sells, or transfers illegal drugs on campus.

Rules and Regulations for the Maintenance of Public Order Pursuant to Article 129A of the Education Law

The rules, regulations, and penalties as they relate to illegal substances are as follows:

9. Any action or situation that recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.
10. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances by University students or employees on University premises or as part of any University/college activities is prohibited. Employees of the University must also notify the college personnel director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.
11. The unlawful possession, use, or distribution of alcohol by students or employees on University/college premises or as part of any University/college activities is prohibited.

Penalties

1. Any student engaging in any manner in conduct prohibited under substantive Rules 1–11 shall be subject to the following range of sanctions as hereafter defined in the section “Definitions of sanctions”: admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, ejection, and/or arrest by the civil authorities.
2. Any tenured or nontenured faculty or member, other member of the instructional staff, or member of the classified staff engaging in any manner in conduct prohibited under substantive Rules 1–11 shall be subject to the following range of penalties: warning, censure, restitution, fine not exceeding those permitted by law or by the Bylaws of The City University of New York or suspension with/without pay pending a hearing before an appropriate college authority, dismissal after a hearing, ejection, and/or arrest by the civil authorities, and, for engaging in any manner in conduct prohibited under substantive Rule 10, may, in the alternative, be required to participate satisfactorily in an appropriately licensed drug treatment or rehabilitation program.

A tenured or nontenured faculty member or other member of the instructional staff or member of the classified staff charged with engaging in any manner in conduct prohibited under substantive Rules 1–11 shall be entitled to be treated in accordance with applicable provisions of the Education Law, or the Civil Service Law, or the applicable collective bargaining agreement, or the Bylaws or written policies of The City University of New York.

3. Any visitor, licensee, or invitee engaging in any manner in conduct prohibited under substantive Rules 1–11 shall be subject to ejection and/or arrest by the civil authorities.
4. Any organization that authorizes the conduct prohibited under substantive Rules 1–11 shall have its permission to operate on campus rescinded.

Penalties 1–4 shall be in addition to any other penalty provided by law or the City University.

Definitions of sanctions

Admonition. An oral statement to the offender that he or she has violated University rules.

Warning. Notice to the offender, orally or in writing, that continuation or repetition of the wrongful conduct,

within a period of time stated in the warning, may be cause for more severe disciplinary action.

Censure. Written reprimand for violation of specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of any University regulation within a period stated in the letter of reprimand.

Disciplinary probation. Exclusion from participation in privileges or extracurricular University activities as set forth in the notice of disciplinary probation for a specified period of time.

Restitution. Reimbursement for damage to or misappropriation of property. It may take the form of appropriate service to repair or otherwise compensate for damages.

Suspension. Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a definite period of time.

Expulsion. Termination of student status for an indefinite period. The conditions of readmission, if any is permitted, shall be stated in the order of expulsion.

Complaint to civil authorities.

Ejection.

RESOLVED, That a copy of these rules and regulations be filed with the regents of the state of New York and with the commissioner of education.

RESOLVED, That these rules and regulations be incorporated in each college *Bulletin*.

Institutional Sanctions

Students

Students are expected to comply with the Rules of Conduct printed in the Undergraduate or Graduate *Bulletin* or *Handbook*.

Any student or employee found in violation of the rules and regulations set forth in this policy may be subject to disciplinary action. Sanctions may include admonition, warning, censure, disciplinary probation, restitution, suspension, expulsion, and/or complaint to civil authorities. There are clearly defined in the *Bulletins* or *Handbooks*.

A student who is experiencing difficulty with alcohol or chemical dependency may be referred to the dean of students or the appropriate counseling and advisement center by members of the instructional staff or may seek assistance directly. The dean of students may take disciplinary action or recommend that the student meet with a counselor for appropriate referral or assistance through self-help organizations or other outside intervention agencies.

Employees

The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances and the unauthorized use of alcohol by University employees in the workplace is prohibited.

Employees found in violation of the Standards of Conduct referred to in this policy may be subject to discipline under the provisions of their union contract. Sanctions that may be imposed include, in addition to those found in the various contracts, verified attendance and successful participation in a drug/alcohol assistance program.

Federal, State, and Local Penalties

The federal, state, and local penalties are listed, respectively, as Appendix A, B, and C.

Policy on Smoking

WHEREAS, As the largest urban university in the country, the City University is committed to promoting the health and well-being of its faculty, students, and staff; and

WHEREAS, The health hazards of tobacco use are well-documented and directly linked to the death of an estimated 390,000 Americans a year; and

WHEREAS, Exposure to environmental tobacco smoke has been associated with the occurrence of many diseases, such as lung cancer and heart disease in nonsmokers and low birthrate in the offspring of nonsmokers; and

WHEREAS, Environmental tobacco smoke represents one of the strongest sources of indoor air contaminants in buildings where smoking is permitted; therefore

BE IT RESOLVED, That smoking is prohibited inside all facilities owned, leased, or operated by the City University of New York, effective January 1, 1995.

What You Don't Know About Drugs and Alcohol Can Hurt You

The following information has been provided by the Brooklyn College Personal Counseling and Career Services Center. If you or someone you care about needs free, confidential help with a drug or other personal problem, speak with one of the center's professional counselors in 1303 James Hall, 951-5363.

Street drugs

One special problem with any drug you buy on the street is that you can never be sure exactly what you are getting. At best, you get what you asked for—probably cut with a sugar or starch compound. Often — unfortunately — you get something other than what you expect: A different drug altogether or a drug cut with harmful substances or contaminated with impurities. Drug dealers are in the business to make money. They need to make lots of it to make their risks worthwhile. Keeping drugs pure costs money, so it is not a very important consideration to dealers. Remember, the FDA is not protecting the purity of street drugs.

Stimulants

Cigarettes, coffee, tea, and cola drinks contain legal stimulants (NICOTINE and CAFFEINE). AMPHETAMINES, COCAINE, and CRACK are also stimulants. Side effects include jittery feelings, irritability, and palpitations. More serious side effects include sleep problems and a decline in appetites for food and sex. The most serious problem is that these drugs are very addictive. Stimulants produce exaggerated feelings of energy, alertness, and well-being. Unfortunately, when the drug effect wears off a corresponding period of exhaustion and depression sets in. These effects reinforce a desire for more drugs to combat the low feelings.

Depressants

Beverages with ALCOHOL are depressants. BARBITURATES ("downers") and NARCOTICS (such as heroin) are also depressants. Side effects include slowing of reflexes and reactions, slurred speech, impaired judgment, and blurred perceptions. These effects make it especially dangerous to drive. People feel that they are performing well when in fact their abilities are impaired. Other serious effects include dependence and addiction. Depressants produce relaxed, calm feelings. Over time, depression and anxiety increase and more and more drugs are required to suppress these feelings. Alcohol-related accidents and diseases cause more deaths than all other drugs combined.

Marijuana

MARIJUANA ("smoke" or "pot") and HASHISH ("hash") both contain the chemical THC. Side effects include impairment of judgment, memory, and concentration. Some experienced users experience anxiety attacks. These drugs, like alcohol, are often used in social situations because of the enhancement of sensory perception and lowered inhibitions some users experience. The main danger is psychological dependence, where getting high is used to avoid personal problems or uncomfortable feelings. These drugs may also be contaminated with other chemicals in order to enhance their effect or where pesticides or other agricultural chemicals have been used on the plants.

Hallucinogens

LSD ("acid"), Mescaline, and PSILOCYBIN are hallucinogens that cause powerful, extreme, and unpredictable changes in mood and perception during a ten- to twelve-hour "trip" period. The trip may be unpleasant and disorienting, with unpredictable reoccurrences ("flashbacks") for months afterward. A "bad trip" may cause considerable anxiety.

PCP

PHENCYCLIDINE (PCP or “angel dust”) produces a masking of inhibitions and pain perception and disrupts the intellect. While some people enjoy the disorientation, others experience confusion, agitation, unrealistic fears, speech disturbances, and memory and mood problems.

Overdoses

A serious problem with many drugs is the potential for overdose. Because these drugs are not distributed under controlled conditions, it is impossible to know their strength (or exact composition). Many users do not understand the dangers of mixing drugs that multiply each others’ effects. Combining alcohol, depressants, cocaine, and/or narcotics may drastically lower the overdose threshold. High doses shut down vital brain control centers, leading to death from lack of oxygen.

Dependence

Try to stop using drugs (including legal ones) for one month. If you have trouble doing so, you have a problem and need professional help.

AIDS

AIDS is a serious, specific risk for people who share needles in order to inject any drug. If you share a needle, you stand a very good chance of being dead within five years from AIDS. Unfortunately most drugs interfere with judgment, so those most at risk are least likely to take the risk seriously. Since drugs lower inhibitions, people using drugs are more likely to be exposed to AIDS through unsafe sex (more than one partner and/or not using condoms).

Health Risks Associated with Abuse of Alcohol and Use of Tobacco and Illicit Drugs

Alcohol

Alcohol (ethanol) is a toxic to the human body. It is a central nervous system depressant that slows such bodily functions at heart rate, pulse, and respiration. Taken in large quantities, it progressively causes intoxication, sedation, and unconsciousness, and even death if consumed in large quantities. These effects are similar to those produced by other sedative-hypnotic drugs such as barbiturates and narcotics.

Alcoholics may be able to consume large quantities of alcohol without appearing to be drunk or uncontrolled. Nevertheless, alcoholism causes severe emotional, physical, and psychological damage. Prolonged heavy drinking may damage various organs, resulting in disorders such as cirrhosis of the liver, heart disease, pancreatitis, and cancer. It may also lead to gastrointestinal irritation (nausea, diarrhea, gastritis, ulcers), malnutrition, sexual dysfunctions, high blood pressure, lowered resistance to disease, and possible irreversible brain and nervous system damage. Alcoholism also leads to a wide variety of problems involving one's emotional, family, work, and social life.

Tobacco

It is illegal to sell tobacco products to any person under age eighteen in the state of New York. The City University of New York has adopted a no-smoking policy, which prohibits smoking in all University facilities.

Thirty-seven years ago, the first report of the Surgeon General of the United States was issued on the impact of tobacco use on health. This 1964 report presented stark conclusions: Cigarette smoking causes lung cancer and is the most important cause of chronic bronchitis. The report also linked tobacco smoking with emphysema and other forms of cancer. The tobacco industry contested the report, arguing that there was no conclusive link between smoking and poor health. Since that time, however, the evidence supporting the conclusions reached in that landmark report continue to mount.

The Department of Health and Human Services, the American Psychiatric Association, and the World Health Organization have determined that nicotine, the chief component of tobacco, is a highly addictive drug.

Drug and Alcohol Abuse Counseling Services

On-campus services

Personal Counseling Services, 1303 James Hall, provides free and confidential drug and alcohol counseling and referral for students, employees, and their families. Professionals and trained, supervised students provide help with drug or alcohol-related problems through individual and group counseling and referrals to off-campus services. A special support group program for former drug users is also offered.

Appointments may be made in person or, if anonymity is desired, by calling 951-5363.

Union-sponsored services

DC 37 and all AFSCME union locals provide their members with short-term counseling and referrals to substance abuse programs. For more information, call (212) 815-1260 or visit www.dc37.net.

Health insurance plans

Eligible employees and retirees are provided with inpatient and outpatient alcohol and drug treatment services under all New York City health plans. To determine the specific requirements to obtain these benefits, please review your New York City health benefits booklet or contact the organizations below for further information.

Aetna/US Healthcare, www.aetnaushc.com	
• Aetna/US Healthcare HMO	(800) 323-9930
• Aetna/US Healthcare QPOS	(800) 448-7423
CIGNA Healthcare, www.cigna.com	
• New Jersey members	(800) 873-7904
• New York members	(800) 221-9690
Empire, www.empirehealthcare.com	
• Empire EPO	(800) 767-8672
• Empire Healthcare of New Jersey HMO	(800) 767-8672
• Empire HMO New York	(800) 767-8672
GHI, www.ghi.com	
• GHI HMO Select	(900) NYC-CITY
• GHI-CPC/Blue Cross	(800) NYC-CITY
• GHI-Type C/Blue Cross	(800) NYC-CITY
HIP, www.hipusa.com	
• HIP Prime HMO	(888) 447-2526
• HIP Prime POS	(888) 447-2526
Med Team/Choice	(800) 662-5193

MetroPlus	(800) 303-9626
Physicians Health Services	(800) 441-5754
Vytra	(800) 406-0806

Telephone helplines and hotlines

AAAB Pathways to Recovery	(800) 417-6237
ALANON (families of alcoholics)	(212) 254-7236
Alcohol Hotline	(212) 252-7022
Alcoholics Anonymous	(718) 339-4777
Alcoholics Anonymous (Spanish)	(212) 234-5516
Cocaine Abuse Hotline	(800) 262-2243
Codependents Anonymous	(212) 969-8624
Compulsive Gambling	(800) 522-4700
Crack Hotline/New York City Report Drug Sales	(212) 374-5725
National Council on Alcoholism and Drug Dependence	(800) 622-2255
National Institute on Drugs	(800) 662-4357
New York State Office of Alcoholism and Substance Abuse Service (questions regarding private treatment centers)	(800) 522-5353
Overeaters Anonymous	(212) 206-7859
Substance Abuse Treatment Center Referrals	(800) 234-0420

Referral Services - Brooklyn

Alcoholics Anonymous	(718) 339-4777
1425 Kings Highway Brooklyn, NY 11229	
BVAMC Treatment Center	(718) 836-6600, ext. 6754
800 Polly Place Brooklyn, NY 11209 Service: Methadone maintenance—hospital and outpatient Client: Veterans Fee: Sliding scale	
Canarsie A.W.A.R.E. Inc. Youth Center	(718) 257-3195
1285 Rockaway Avenue Brooklyn, NY 11236 Service: Drug free—day care and outpatient Client: No restrictions Fee: Sliding scale	
Dynamite Youth Community, Inc.	(718) 376-7923
1830 Coney Island Avenue Brooklyn, NY 11230 Service: Drug free—day care and residential Client: Young adults, ages thirteen to twenty-one Fee: Sliding scale	
El Regreso Foundation	(718) 782-6673
232 Metropolitan Avenue Brooklyn, NY 11211 Service: Referral/placement for drug treatment Client: No restrictions; must have ID Fee: None	
H.H.C. Coney Island Hospital	(718) 714-2900
2201 Neptune Avenue Brooklyn, NY 11224 Service: Detoxification—residential Client: No restrictions Fee: Sliding scale	
Interfaith Medical Center MMTP	(718) 935-7000
555 Prospect Place Brooklyn, NY 11238 Service: Methadone maintenance and detoxification—outpatient Client: No restrictions	

Fee: Sliding scale

Kings County Medical Center Hospital

(718) 270-1425

600 Albany Avenue, K Building
Brooklyn, NY 11203

Service: Drug free—day care and outpatient

Client: No restrictions

Fee: Sliding scale

Referral Services - The Bronx

Albert Einstein/Bronx State Hospital	(718) 409-9450
1500 Waters Place, Ward 20, Sixth Floor Bronx, NY 10461 Service: Substance abuse—outpatient Client: No restrictions Fee: Sliding scale	
Bronx Lebanon Hospital Center.	(718) 590-1800
1276 Fulton Avenue Bronx, NY 10456 Service: Substance abuse—outpatient Client: No restrictions Fee: Sliding scale	
P.R.O.M.E.S.A	(718) 299-1100
1776 Clay Avenue Bronx, NY 10457 Service: Methadone to abstinence—residential and outpatient Client: No restrictions Fee: Sliding scale	
Riverdale Mental Health Association	(718) 796-5300
5676 Riverdale Avenue Bronx, NY 10471 Service: Drug free—outpatient Client: No restrictions Fee: Sliding scale	
United Bronx Parents, Inc.	(718) 617-6060
966 Prospect Avenue Bronx, NY 10459 Service: Drug free—day care, outpatient, and residential Client: No restrictions Fee: Sliding scale	
Unity Bronx V.A. Hospital	(718) 584-9000
130 West Kingsbridge Road Bronx, NY 10468 Service: Methadone maintenance—outpatient Client: No restrictions Fee: Sliding scale	

Referral Services - Manhattan

Beth Israel Hospita	(212) 420-2966
1-9 Nathan D. Perlman Place Petrie Division New York, NY 10010 Service: Methadone maintenance—outpatient Client: Eighteen years old or over (New York resident; over one year narcotic addiction) Fee: Sliding scale	
Cocaine Anonymous	(212) 929-7300
48 West 21 Street New York, NY 10013 Service: Self-help groups Client: No restrictions Fee: Financed solely by contributions from member groups	
Covenant House	(212) 727-4159
460 West 41 Street New York, NY 10032 Service: Mother/child unit, AIDS treatment, young adults, right of passage, crisis center, under age twenty-one Client: Under age twenty-one Fee: None	
Daytop Village	(212) 354-6000
54 West 40 Street New York, NY 10018 Service: Drug free — residential and outpatient Client: No restrictions Fee: Sliding scale	
ICD Chemical Dependence Service	(212) 585-6260
340 East 24 Street New York, NY 10010 Service: Drug free — residential Client: No restrictions Fee: Sliding scale	
Phoenix House Foundation	(212) 787-3000
233 West 80 Street New York, NY 10024 Service: Residential — inpatient, young adults; drug free Client: No restrictions Fee: \$40 (none for those who cannot afford it)	
Phoenix House, Inc.	(212) 595-5810

164 West 74 Street (Main Office)
New York, NY 10023
Brooklyn: (718) 858-4961
Queens: (718) 472-6800
Service: Drug free—day care and residential
Client: No restrictions
Fee: Sliding scale

St. Luke's/Roosevelt Hospital Center

(212) 523-6491

Smithers Center
1000 10 Avenue
New York, NY 10019
Service: Inpatient/detoxification/rehabilitation/outpatient
Client: No restrictions
Fee: Sliding scale

Vida Family Services

(212) 289-1004

127 East 105 Street
New York, NY 10029
Service: Drug free—outpatient and day care
Client: No restrictions
Fee: Sliding scale

Referral Services - Queens

Aurora Concept, Inc.	(718) 969-7000
78-31 Parsons Boulevard Flushing, NY 11365 Service: Drug free—day care, outpatient, and residential Client: No restrictions Fee: Sliding scale	
Elmcor Youth and Adult Activities, Inc.	(718) 651-0096
107-20 Northern Boulevard Corona, NY 11368 Service: Day/evening services, therapy, counseling for drug users, who are monitored and referred to treatment center. Residential. Client: No restrictions Fee: Sliding scale	
J. Cap	(718) 322-2500
116-30 Sutphin Boulevard Jamaica, NY 11433 Service: Residential program, counseling, behavior modification Client: No sex, drugs, alcohol, or acting out on premises Fee: Welfare, Medicaid, sliding scale	
Mary Immaculate Hospital	(718) 291-1888
147-20 Archer Avenue Jamaica, NY 11435 Service: Methadone maintenance Client: No restrictions Fee: Sliding scale	
Outreach Projects	(718) 847-9233
117-11 Myrtle Avenue Richmond Hill, NY 11418 Service: Adolescent residential/outpatient/drug/alcohol program/counseling Client: Age eleven or over; referrals taken from other agencies Fee: Sliding scale	
Queens Branch Urban League	(718) 297-7272
92-20 Union Hall Street, Second Floor Jamaica, NY 11432 Service: Health consortium Client: No restrictions Fee: None	
Queens Hospital Center—Adult Drug Treatment	(718) 883-3000

82-68 164 Street, Building T3A, Seventh Floor
Jamaica, NY 11432
Service: Detoxification
Client: No restrictions
Fee: None

Samaritan Village

(718) 206-2000

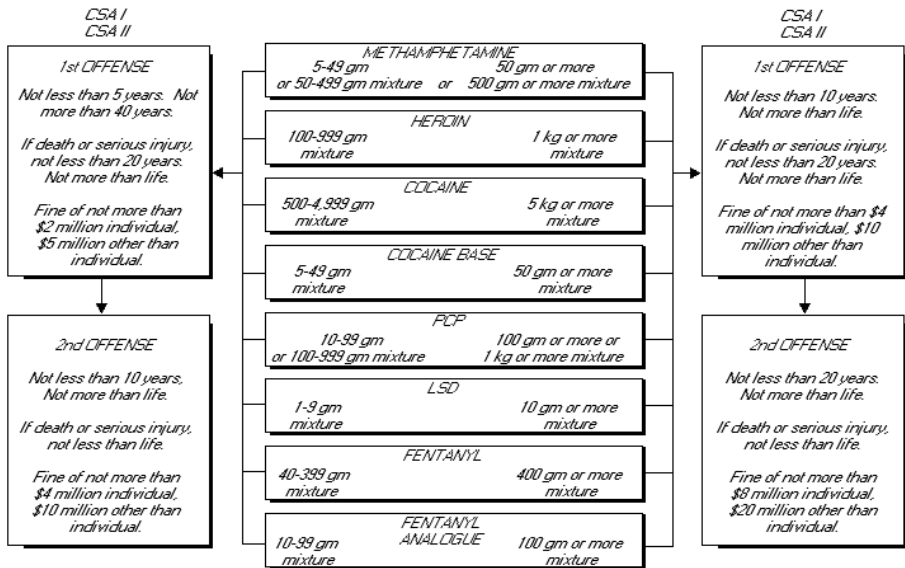
138-02 Queens Boulevard
Briarwood, NY 11435
Service: Drug free—residential
Client: No restrictions
Fee: Sliding scale

Referral Services - Staten Island

Camelot of Staten Island, Inc.	(718) 816-6589
273 Heberton Avenue Staten Island, NY 10302 Service: Drug free—day care and outpatient Client: No restrictions Fee: Sliding scale	
Camelot of Staten Island, Inc.	(718) 981-8117
263 Port Richmond Avenue Staten Island, NY 10302 Service: Drug free—day care, outpatient, and residential Client: No restrictions Fee: Sliding scale	
Staten Island Hospital Intake Department for Drug and Alcohol Abuse	(718) 356-8910
392 Seguire Avenue Staten Island, NY 10302 Service: Prevention—outpatient Client: No restrictions Fee: Sliding scale	

Federal Trafficking Penalties

As of October 1999



ANY OTHER CSA I, CSA II OR 1 GRAM OR MORE OF FLUNITRAZEPAM	Drug: Others (law does not include marijuana, hashish, or hash oil) Quantity: Any 1st Offense: Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual. 2nd Offense: Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual.
CSA III OR 30-99 GRAMS OF FLUNITRAZEPAM	Drug: All (includes anabolic steroids as of 2-27-91) Quantity: Any 1st Offense: Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual. 2nd Offense: Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.
CSA IV	Drug: All Quantity: Any 1st Offense: Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual. 2nd Offense: Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.
CSA V	Drug: All Quantity: Any 1st Offense: Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual. 2nd Offense: Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.

*Trafficking includes the manufacturing, distribution, or dispensing of, or possession with intent to manufacture, distribute, or dispense, a controlled substance.

Source: U.S. Department of Justice Drug Enforcement Administration

Federal Trafficking Penalties—Marijuana

As of October 1999 ¹⁹

Marijuana is a Schedule I controlled substance.

DRUG QUANTITY			
<p><i>Marijuana</i></p> <p><i>1,000 kg or more; or 1,000 or more plants</i></p>	<p><i>Marijuana</i></p> <p><i>100 kg to 999 kg; or 100 to 999 plants</i></p>	<p><i>Marijuana</i></p> <p><i>50 to 100 kg 50 to 99 plants</i></p>	<p><i>Marijuana Less than 50 kg Less than 50 plants</i></p> <p><i>Hashish 10 kg or more</i></p> <p><i>Hash Oil 1 kg or more</i></p>
<p><i>1st OFFENSE</i></p> <p><i>Not less than 10 years. Not more than life.</i></p> <p><i>If death or serious injury, not less than 20 years, not more than life.</i></p> <p><i>Fine of not more than \$4 million individual, \$10 million other than individual.</i></p>	<p><i>1st OFFENSE</i></p> <p><i>Not less than 5 years. Not more than 40 years.</i></p> <p><i>If death or serious injury, not less than 20 years, not more than life.</i></p> <p><i>Fine of not more than \$2 million individual, \$5 million other than individual.</i></p>	<p><i>1st OFFENSE</i></p> <p><i>Not more than 20 years.</i></p> <p><i>If death or serious injury, not less than 20 years, not more than life.</i></p> <p><i>Fine of not more than \$1 million individual, \$5 million other than individual.</i></p>	<p><i>1st OFFENSE</i></p> <p><i>Not more than 5 years.</i></p> <p><i>Fine of not more than \$250,000 individual, \$1 million other than individual.</i></p>
<p><i>2nd OFFENSE</i></p> <p><i>Not less than 20 years. Not more than life.</i></p> <p><i>If death or serious injury, not more than life.</i></p> <p><i>Fine of not more than \$8 million individual, \$20 million other than individual.</i></p>	<p><i>2nd OFFENSE</i></p> <p><i>Not less than 10 years. Not more than life.</i></p> <p><i>If death or serious injury, not more than life.</i></p> <p><i>Fine of not more than \$4 million individual, \$10 million other than individual.</i></p>	<p><i>2nd OFFENSE</i></p> <p><i>Not more than 30 years.</i></p> <p><i>If death or serious injury, not more than life.</i></p> <p><i>Fine of not more than \$2 million individual, \$10 million other than individual.</i></p>	<p><i>2nd OFFENSE</i></p> <p><i>Not more than 10 years.</i></p> <p><i>Fine of not more than \$500,000 individual, \$2 million other than individual.</i></p>

¹⁹Trafficking includes the manufacturing, distribution, or dispensing of, or possession with intent to manufacture, distribute, or dispense, a controlled substance.

Source: U.S. Department of Justice Drug Enforcement Administration

Glossary

Community. A nonschool setting in which prevention services are provided.

Community action. Drug-prevention activities frequently organized and conducted by groups of community residents, using volunteer and other available local resources.

Day service. An ambulatory setting in which the client receives usually daily services on an outpatient basis.

Detoxification. A treatment procedure using methadone or any of its derivatives administered in decreasing doses over a period of time not to exceed twenty-one days for the purpose of detoxification from opiates.

Drug-free treatment. A treatment modality that does not include any chemical agent or medication as the primary part of the drug treatment. The primary method is traditional counseling (individual/group).

Hospital. The client is treated in a hospital setting.

Local agency or local designated agency (LDA). A county governmental unit for a county not wholly within a city, and a city governmental unit for a city having a population of one million or more, designed by such county or city as responsible for substance abuse services in that county or city.

Methadone maintenance. A treatment procedure using methadone or any of its derivatives administered over a period of time in excess of twenty-one days to relieve withdrawal symptoms, reduce craving, and permit normal functioning so that, in combination with rehabilitation services, patients may develop productive lifestyles.

Methadone to abstinence (MTA). A treatment procedure using methadone administered for a period exceeding twenty-one days, as part of a planned course of treatment involving reduction in dosage to the point of abstinence followed by drug-free treatment.

Outpatient. A patient who is treated in an ambulatory setting and is provided various supportive services, primarily counseling, on a regular basis. The frequency and duration of services generally are less than with day-service programs.

Prevention. Designed to keep individuals from becoming substance users or abusers. This may include conducting activities designed to educate special groups and the public about the problems of substance abuse as well as direct services to participants.

Prison/jail. The client is incarcerated in a federal, state, or local penal institution and participates in a treatment program within the correctional setting.

Residential. The client lives in the treatment facility other than a prison or hospital and participates in the program seven days a week.

School. The client receives services within a school setting primarily during school hours.

Support services or specialized services. Services provided to clients of a substance abuse program. These services may include urinalysis, medical, psychiatric/psychological, legal aid, vocational, and educational.

Appendix A: Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C. 844(a)

First conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After one prior drug conviction: At least fifteen days in prison, not to exceed two years, and fined at least \$2,500 but not more than \$250,000, or both.

After two or more prior drug convictions: At least ninety days in prison, not to exceed three years, and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed twenty years, and fined up to \$250,000 or both, if:

- first crack conviction and the amount of crack possessed exceeds five grams.
- second crack conviction and the amount of crack possessed exceeds three grams.
- third or subsequent crack conviction and the amount of crack possessed exceeds one gram.

21 U.S.C. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions regarding crack, above.)

21 U.S.C. 881(a)(4)

Forfeiture of vehicle, boat, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a

Civil fine of up to \$10,000.

21 U.S.C. 853a

Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

18 U.S.C. 922(g)

Ineligible to purchase, receive, or transport a firearm.

Miscellaneous

Revocation of certain federal licenses and benefits (e.g., pilot licenses, public housing tenancy, etc.) are vested within the authorities of individual federal agencies.

Note: These are federal penalties and sanctions only. Additional state penalties and sanctions may apply.

Source: *Drugs of Abuse*, U.S. Department of Justice Drug Enforcement Administration, 1996.

Appendix B: State Law

There are additional criminal penalties for possession of controlled substances or marijuana with intent to sell. Conviction of a drug-related offense may also cause a civil fine and cause eligibility for federal grant monies — including student aid — to terminate.

Appearance in public under the influence

It is a violation of state law to appear in public under the influence of narcotics or a drug other than alcohol to a degree that it may endanger oneself or other persons or property, or annoy persons in one's vicinity. Penalty could include fifteen days imprisonment and a \$250 fine.

State alcohol abuse penalties

Unlawfully dealing with a child

It is unlawful to give or sell alcohol (or cause it to be given or sold) to a person under age twenty-one. This is a Class B misdemeanor. The penalty could be up to three months imprisonment and a \$500 fine.

DWI

Driving while intoxicated (DWI) by drugs or alcohol is a misdemeanor punishable up to a year imprisonment and a \$500 fine.

DWAI

Driving while ability impaired (DWAI) by alcohol is a violation punishable by up to fifteen days imprisonment and up to a \$350 fine.

Liability of one serving a person under age twenty-one

Anyone who furnishes or assists a person under age twenty-one in procuring alcoholic beverages is liable for any damages caused by that underage person while under the influence.

Dram shop liability

Any person who sells alcoholic beverages or unlawfully assists an intoxicated person to procure alcoholic beverages is liable for any damages caused by that person while under the influence.

Fraudulent documents

It is in violation of state law for a person under age twenty-one to present false evidence of age to procure alcoholic beverages.

All penalties cited are a possible range for first offense.

With A-I, A-II, and certain C felonies, imprisonment is mandatory.

Appendix C: Local Law

Open container: It is a violation of a local ordinance to carry alcohol in an open container. The possible penalty is five days imprisonment and a \$25 fine.