

# **Drug-Free Schools & Campuses Act Annual Notification/Disclosure**

## **Alcohol and Illicit Drug Policies & Sanctions for Students:**

SEARK College strictly prohibits the dispensing, selling, supplying, possession, use, manufacture, or distribution of alcohol or illicit drugs on College owned/College controlled property or at any College sponsored event, including off campus College sponsored events. Students found to be in violation of the alcohol and illicit drug policies are subject to arrest, criminal prosecution, imprisonment, and/or fine according to state and federal law. In addition, students found in violation of this policy will face college sanctions ranging from probation to expulsion.

SEARK College may notify, in writing, a parent or legal guardian of a student who is under twenty-one (21) years of age if he/she violates any rule or policy of the college governing the use or possession of alcohol, controlled substances, or illicit drugs while on College controlled property or at a College sponsored or sanctioned event. Notification to the parent/legal guardian will be in addition to disciplinary action.

## **Substance Abuse Programming:**

Southeast Arkansas College recognizes that drug and alcohol abuse can cause mental and physical health problems that can threaten lives, disrupt programs of study, and shatter families.

Therefore, SEARK College has implemented the following drug prevention steps:

1. An information center has been set up in the Student Advising and Retention Center in Room 160 of the Student Services building.
2. The Student Advising and Retention Center Office may be contacted for information, counseling or referral concerning substance abuse.
3. The Student Advising and Retention Center sponsors events that promote healthy, drug-free lifestyles.
4. Instructors will incorporate drug and alcohol prevention materials into their classes when appropriate.

## **Student Drug Testing Administrative Rule:**

The Student Drug Testing Administrative Rule of Southeast Arkansas College (SEARK) requires some programs in the Divisions of Nursing and Allied Health (NAH) and Technical Studies Programs to require drug testing for admission to the program and to conduct random drug testing while enrolled. The drug policy applies to the following NAH programs: Emergency Medical Sciences EMT/Paramedic, Practical Nursing, Generic Registered Nursing, and Licensed Practical Nursing/Paramedic to Registered Nursing Transition, Surgical Technology, Respiratory Therapy, and Radiologic Technology. The drug policy applies to the following Technical Programs: Air Conditioning and Refrigeration Technology, Early Childhood Paraprofessional Technology, Electrical Mechanical Systems Technology, and Welding Technology. All applicants to these programs must complete a drug screen prior to entry/registration. Random drug screening of students in these programs will be conducted during the academic year. Failure to consent to any requested test will result in immediate withdrawal of the student's offer of admission or recommendation for expulsion from the program. Students enrolled in the College may be required to submit to a drug and/or alcohol testing when it is determined that there is reasonable suspicion that the student is using drugs and/or alcohol. Reasonable suspicion is defined by the College's Drug-Free Campus Policy.

Nursing and Allied Health (NAH) programs require drug testing prior to the acceptance of any NAH program. Technical Studies programs require drug testing prior to registration of any Technical Course listed in the degree plans mentioned above. Random drug testing may be utilized at any time during the course of the programs at the student's expense.

Students drug testing prior to program entry and random testing during the course of the programs will be at the student's expense.

**Alcohol and Illicit Drug Policies & Sanctions for Employees:**

It is the policy of Southeast Arkansas College that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on college premises, or as part of any college sponsored activities. Workplace also includes vehicles owned, rented or leased by Southeast Arkansas College. The driver of any state vehicle may be subject to drug and alcohol testing.

Any person while under the influence of illegal drugs or alcohol must not enter the campus. Any person violating this rule will be subject to disciplinary or legal action or both as deemed appropriate for the situation.

Southeast Arkansas College does not differentiate between drug or alcohol users, or sellers. Any person who gives, or in any way transfers a controlled substance as defined by the law or alcohol to another person, or sells or manufactures a controlled substance while on the college premises, will be subject to disciplinary and/or legal action up to and including suspension or termination.

The term "controlled substance" refers to any drug not prescribed for the individual by the licensed health care practitioner, the illegal use of which violates State and Federal regulations. It also includes legal drugs prescribed by a licensed health care practitioner that are being abused.

Employees must notify his or her division dean or other appropriate supervisor in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.

The Division Chair or Dean, or supervisor of the employee shall immediately convey this information, through appropriate channels, to the supervisor to whom he or she reports. If the convicted employee is engaged in a project funded by federal monies, the aforementioned supervisor will notify the granting or contracting agency within ten days after receiving notice of the conviction. An employee who is convicted under any criminal drug statute for a violation occurring in the workplace is required to successfully complete a drug counseling or rehabilitation program. Additional sanctions, including termination of employment, may be imposed for the first-time and/or repeated convictions.

Adherence to the terms of this policy is a condition of employment at SEARK, including those engaged in work funded by a federal grant or contract.

**Legal Sanctions Under Federal Laws:**

Federal law provides criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. Along with incarceration and/or fines, there are federal laws allowing the forfeiture of property

used in possession or to facilitate possession of a controlled substance. This could include homes, vehicles, boats, aircrafts and other personal or real property. Fines could range up in the millions of dollars. An individual becomes ineligible to receive federal benefits such as student loans and grants. For more details on the Federal laws related to alcohol and other drug violations, go to:

<https://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>

### **Arkansas Alcohol-Related Laws:**

This information includes some of the alcohol related laws in the state of Arkansas. This is not an all inclusive list, and the laws listed below have been abbreviated. Note that the penalties listed are the minimum and maximums according to law, and subsequent offenses (especially with the DWI and DUI laws) can include substantially harsher penalties. If you need more information on any of these, or other, laws, please contact the SEARK Security.

- ***Unknowningly Furnishing or Selling Alcohol to Minor*** 3-3-201(a): The sale, giving away, or other disposition of intoxicating liquor to a minor is declared to be a misdemeanor.

#### Penalties

1st offense: Fine - \$200 to \$500

2nd or subsequent offense: Jail Time - No less than 1 year; Fine - \$500 to \$1000

#### Knowingly Furnishing or Selling Alcohol to Minor

3-3-202(a)(1) It shall be unlawful for any person knowingly ... furnish any alcoholic beverage to any person under 21 years of age.

#### Penalties

1st offense: Misdemeanor; Jail Time - No more than 10 days; Fine - No more than \$500

2nd or subsequent offense: Felony; Jail Time - 1 to 5 years; Fine - No more than \$500

#### ***Minor in Possession of Alcohol***

3-3-203(a)(1) It shall be unlawful for any person under the age of 21 years to purchase or have in possession any intoxicating liquor, wine, or beer. (b) It shall also be unlawful for any adult to purchase on behalf of a person under the age of 21 years any intoxicating liquor, wine, or beer.

#### Penalties

1st offense: Misdemeanor; Fine - \$100 to \$500; Theme or essay on liquors, wine, or beer; Probation

2nd or subsequent offense: Same as 1st offense

#### ***Public Intoxication and Drinking in Public***

5-71-212(a) A person commits the offense of public intoxication if he appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree and under circumstances such that he is likely to endanger himself or other persons or property, or that he unreasonably annoys persons in his vicinity. (b) A person commits the offense of drinking in public if that person consumes any alcoholic beverages in any public place, on any highway or street, or upon any passenger coach...or in or upon any vehicle commonly used for the transportation of passengers, or...other public place other than a place of business licensed to sell alcoholic beverages for consumption on the premises.

Penalties

1st offense: Class C Misdemeanor: Jail Time - No more than 30 days; Fine - No more than \$100

2nd or subsequent offense: Same as 1st offense

***Driving While Intoxicated***

5-65-103(a) It is unlawful...for any person who is intoxicated to operate or be in actual physical control of a motor vehicle. (b) It is unlawful for any person to operate or be in actual physical control of a motor vehicle if there was 0.08% or more by weight of alcohol in the person's blood as determined by a chemical test...

Penalties for 1st Offense (Penalties increase for 2nd and subsequent offenses)

License seized upon arrest

License suspended - 120 days (alcohol), 6 months (drugs)

Jail Time - 24 hours to 1 year, or public service

Fine - \$150 to \$1000

Alcohol Treatment or Education Program

Use of ignition interlock device

(No plea bargaining nor probation)

***Driving Under the Influence***

5-65-303(a) It is unlawful for any underage person to operate a motor vehicle while under the influence of an alcoholic beverage or similar intoxicant. (b) It is unlawful for any underage person to operate a motor vehicle if there was 0.02% but less than 0.08% by weight of alcohol in the person's blood as determined by a chemical test.

Penalties for 1st Offense (Penalties increase for 2nd and subsequent offenses)

License seized upon arrest

License suspended - 90 to 120 days

Fine - \$100 to \$500

Public Service

Alcohol and Driving Education Program

No plea bargaining nor probation

**Violation of Implied Consent Law**

5-65-202(a) and 5-65-309(a) Any person who operates a motor vehicle ... shall be deemed to have given consent ... to a chemical test .. of his or her blood, breath, or urine for the purpose of determining the alcohol or controlled substance content of his or her blood ...

Penalties for 1st Offense (These penalties are for DWI or DUI if also charged with VICL)

License seized upon arrest

License suspended - 180 days for DWI, 90 to 180 days for DUI

**State of Arkansas sanctions for illegal drugs:**

See the charts below for detailed information.

**Schedule 1 Drugs:**

| Class of Drug | Narcotic | Hallucinogen                                       | Depressants | Stimulants   | Crime      | Amount            | Punishment     |  |  |                   |  |                |
|---------------|----------|--|-------------|--------------|------------|-------------------|----------------|--|--|-------------------|--|----------------|
| SCHEDULE 1    | Heroin   | LSD<br>Peyote<br>Psilocybin<br>Psilocyn<br>Ecstasy | GHB         | "Bath Salts" | Possession | Less than 2 grams | Class D Felony |  |  |                   |  |                |
|               |          |  |             |              |            | 2 to 28 grams     | Class C Felony |  |  |                   |  |                |
|               |          |  |             |              |            | 28-200 grams      | Class B Felony |  |  |                   |  |                |
|               |          |  |             |              |            |                   |                |  |  | Intent to Deliver | Less than 2 grams                      | Class C Felony |
|               |          |  |             |              |            |                   |                |  |  |                   | 2 to 28 grams; 80 to 160 dosage units* | Class B Felony |
|               |          |  |             |              |            |                   |                |  |  |                   | 28 to 200 grams; 160 to 200 units      | Class A Felony |
|               |          |  |             |              |            |                   |                |  |  | Delivery          | Less than 2 grams                      | Class C Felony |
|               |          |  |             |              |            |                   |                |  |  |                   | 2 to 28 grams; 80 to 160 dosage units  | Class B Felony |
|               |          |  |             |              |            |                   |                |  |  |                   | 28 to 200 grams; 160 to 200 units      | Class A Felony |
|               |          |  |             |              |            |                   |                |  |  | Manufacture       | Less than 2 grams                      | Class C Felony |
|               |          |  |             |              |            |                   |                |  |  |                   | 2 to 28 grams; 80 to 160 dosage units  | Class B Felony |

|  |  |  |  |  |   |                                      |                |
|--|--|--|--|--|---|--------------------------------------|----------------|
|  |  |  |  |  |   | 28 to 200 grams;<br>160 to 200 units | Class A Felony |
|  |  |  |  |  |   |                                      |                |
|  |  |  |  |  | <b>Trafficking</b>  | 200 grams or more                    | Class Y Felony |
|  |  |  |  |  |   |                                      |                |
|  |  |  |  |  | <b>Possession of a Counterfeit Substance</b>                | Any                                  | Class D Felony |
|  |  |  |  |  |   |                                      |                |
|  |  |  |  |  | <b>Delivery or Manufacturing of a Counterfeit Substance</b> | Any                                  | Class C Felony |
|  |  |  |  |  |   |                                      |                |

**Schedule 2(a) Drugs:**

| Class of Drug        | Narcotic   | Hallucinogen | Depressants   | Stimulants                     | Crime             | Amount            | Punishment     |  |                          |                                       |                |
|----------------------|--|--------------|---|--------------------------------|-------------------|-------------------|----------------|--|--------------------------|---------------------------------------|----------------|
| <b>SCHEDULE 2(a)</b> | Codeine<br>Hydrocodone<br>Oxycodone<br>Hydro-morphone<br>Meperidine<br>Morphine<br>Opium |              | Amobarbital<br>Secobarbital<br>Pentobarbital<br>Phencyclidine | Amphetamine<br>Methylphenidate | <b>Possession</b> | Less than 2 grams | Class D Felony |  |                          |                                       |                |
|                      |  |              |   |                                |                   | 2 to 28 grams     | Class C Felony |  |                          |                                       |                |
|                      |  |              |   |                                |                   | 28 to 200 grams   | Class B Felony |  |                          |                                       |                |
|                      |  |              |   |                                |                   |                   |                |  |                          |                                       |                |
|                      |  |              |   |                                |                   |                   |                |  | <b>Intent to Deliver</b> | Less than 2 grams                     | Class C Felony |
|                      |  |              |   |                                |                   |                   |                |  |                          | 2 to 28 grams; 80 to 160 dosage units | Class B Felony |
|                      |  |              |   |                                |                   |                   |                |  |                          | 28 to 200 grams; 160 to 200 units     | Class A Felony |
|                      |  |              |   |                                |                   |                   |                |  |                          |                                       |                |
|                      |  |              |   |                                |                   |                   |                |  | <b>Delivery</b>          | Less than 2 grams                     | Class C Felony |
|                      |  |              |   |                                |                   |                   |                |  |                          | 2 to 28 grams; 80 to 160 dosage units | Class B Felony |
|                      |  |              |   |                                |                   |                   |                |  |                          | 28 to 200 grams; 160 to 200 units     | Class A Felony |
|                      |  |              |   |                                |                   |                   |                |  |                          |                                       |                |
|                      |  |              |   |                                |                   |                   |                |  | <b>Manufacture</b>       | Less than 2 grams                     | Class C Felony |
|                      |  |              |   |                                |                   |                   |                |  |                          | 2 to 28 grams; 80 to 160 dosage units | Class B Felony |
|                      |  |              |   |                                |                   |                   |                |  |                          | 28 to 200 grams; 160 to 200 units     | Class A Felony |

|  |  |  |  |  |   |                   |                |
|--|--|--|--|--|---|-------------------|----------------|
|  |  |  |  |  |   |                   |                |
|  |  |  |  |  | <b>Trafficking</b>  | 200 grams or more | Class Y Felony |
|  |  |  |  |  | <b>Possession of a Counterfeit Substance</b>                | Any               | Class D Felony |
|  |  |  |  |  | <b>Delivery or Manufacturing of a Counterfeit Substance</b> | Any               | Class C Felony |
|  |  |  |  |  |   |                   |                |

**Schedule 2(b) Drugs:**

| Class of Drug                         | Narcotic | Hallucinogen   | Depressants | Stimulants      | Crime                       | Amount            | Punishment     |
|---------------------------------------|----------|----------------|-------------|-----------------|-----------------------------|-------------------|----------------|
| SCHEDULE 2(b)                         | Cocaine  |                |             | Methamphetamine | Possession                  | >2 grams          | Class D Felony |
|                                       |          |                |             |                 |                             | 2 to 10 grams     | Class C Felony |
|                                       |          |                |             |                 |                             | 10 to 200 grams   | Class B Felony |
|                                       |          |                |             |                 | Intent to Deliver           | Less than 2 grams | Class C Felony |
|                                       |          |                |             |                 |                             | 2 to 10 grams     | Class B Felony |
|                                       |          |                |             |                 |                             | 10 to 200 grams   | Class A Felony |
|                                       |          |                |             |                 | Delivery                    | Less than 2 grams | Class C Felony |
|                                       |          |                |             |                 |                             | 2 to 10 grams     | Class B Felony |
|                                       |          |                |             |                 |                             | 10 to 200 grams   | Class Y Felony |
|                                       |          |                |             |                 | Manufacture Methamphetamine | Less than 2 grams | Class C Felony |
|                                       |          |                |             |                 |                             | More than 2 grams | Class Y Felony |
|                                       |          |                |             |                 | Manufacture Cocaine         | Less than 2 grams | Class C Felony |
|                                       |          |                |             |                 |                             | 2 to 10 grams     | Class B Felony |
|                                       |          |                |             |                 |                             | 10 to 200 grams   | Class Y Felony |
|                                       |          |                |             |                 | Trafficking                 | 200 grams or more | Class Y Felony |
| Possession of a Counterfeit Substance | Any      | Class D Felony |             |                 |                             |                   |                |

|  |  |  |  |  |   |     |                |
|--|--|--|--|--|---|-----|----------------|
|  |  |  |  |  |   |     |                |
|  |  |  |  |  | <b>Delivery or<br/>Manufacturing of<br/>a Counterfeit<br/>Substance</b> | Any | Class C Felony |
|  |  |  |  |  |   |     |                |



**Schedule 4 Drugs:**

|  |                                       |                |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|--|---------------------------------------|----------------|----------|--|--|--------------------------|--------------------------------|----------------|--------------------------------------|----------------|---------------------------------------|----------------|--|--|--|-----------------|-------------|----------------|------------------|----------------|------------------|----------------|--|--|--|--------------------|-------------|----------------|------------------|----------------|------------------|----------------|--|--|--|--------------------|-------------------|----------------|--|--|--|--|-----|----------------|
|  |                                       |                | Diazepam |  | <table border="1"> <tr> <td rowspan="3"><b>Intent to Deliver</b></td> <td>&gt; 200 grams;<br/>40 to 80 units</td> <td>Class D Felony</td> </tr> <tr> <td>200 to 400 grams;<br/>80 to 160 units</td> <td>Class C Felony</td> </tr> <tr> <td>400 to 800 grams;<br/>160 to 800 units</td> <td>Class B Felony</td> </tr> <tr> <td colspan="3" style="background-color: #cccccc;"></td> </tr> <tr> <td rowspan="3"><b>Delivery</b></td> <td>&gt; 200 grams</td> <td>Class D Felony</td> </tr> <tr> <td>200 to 400 grams</td> <td>Class C Felony</td> </tr> <tr> <td>400 to 800 grams</td> <td>Class B Felony</td> </tr> <tr> <td colspan="3" style="background-color: #cccccc;"></td> </tr> <tr> <td rowspan="3"><b>Manufacture</b></td> <td>&gt; 200 grams</td> <td>Class D Felony</td> </tr> <tr> <td>200 to 400 grams</td> <td>Class C Felony</td> </tr> <tr> <td>400 to 800 grams</td> <td>Class B Felony</td> </tr> <tr> <td colspan="3" style="background-color: #cccccc;"></td> </tr> <tr> <td><b>Trafficking</b></td> <td>800 grams or more</td> <td>Class Y Felony</td> </tr> <tr> <td colspan="3" style="background-color: #cccccc;"></td> </tr> <tr> <td><b>Possession of a Counterfeit Substance</b></td> <td>Any</td> <td>Class D Felony</td> </tr> </table> | <b>Intent to Deliver</b> | > 200 grams;<br>40 to 80 units | Class D Felony | 200 to 400 grams;<br>80 to 160 units | Class C Felony | 400 to 800 grams;<br>160 to 800 units | Class B Felony |  |  |  | <b>Delivery</b> | > 200 grams | Class D Felony | 200 to 400 grams | Class C Felony | 400 to 800 grams | Class B Felony |  |  |  | <b>Manufacture</b> | > 200 grams | Class D Felony | 200 to 400 grams | Class C Felony | 400 to 800 grams | Class B Felony |  |  |  | <b>Trafficking</b> | 800 grams or more | Class Y Felony |  |  |  | <b>Possession of a Counterfeit Substance</b> | Any | Class D Felony |
| <b>Intent to Deliver</b>                     | > 200 grams;<br>40 to 80 units        | Class D Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  | 200 to 400 grams;<br>80 to 160 units  | Class C Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  | 400 to 800 grams;<br>160 to 800 units | Class B Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
| <b>Delivery</b>                              | > 200 grams                           | Class D Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  | 200 to 400 grams                      | Class C Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  | 400 to 800 grams                      | Class B Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
| <b>Manufacture</b>                           | > 200 grams                           | Class D Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  | 200 to 400 grams                      | Class C Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  | 400 to 800 grams                      | Class B Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
| <b>Trafficking</b>                           | 800 grams or more                     | Class Y Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
| <b>Possession of a Counterfeit Substance</b> | Any                                   | Class D Felony |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                | Rohypnol |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                | Luminal  |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                | Halicon  |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                | Ambien   |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                | Talwin   |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                | Soma     |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                | Stadol   |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                | Nubain   |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |
|  |                                       |                |          |  |  |                          |                                |                |                                      |                |                                       |                |  |  |  |                 |             |                |                  |                |                  |                |  |  |  |                    |             |                |                  |                |                  |                |  |  |  |                    |                   |                |  |  |  |  |     |                |

| Class of Drug | Narcotic | Hallucinogen | Depressants | Stimulants                    | Crime             | Amount                   | Punishment                            |                |
|---------------|----------|--------------|-------------|-------------------------------|-------------------|--------------------------|---------------------------------------|----------------|
| SCHEDULE 5    |          |              |             | Epederine<br>Pseudo-ephedrine | <b>Possession</b> | 28 to 200 grams          | Class D Felony                        |                |
|               |          |              |             |                               |                   | 200 to 400 grams         | Class C Felony                        |                |
|               |          |              |             |                               |                   | 400 to 800 grams         | Class B Felony                        |                |
|               |          |              |             |                               |                   |                          |                                       |                |
|               |          |              |             |                               |                   | <b>Intent to Deliver</b> | > 200 grams;<br>40 to 80 units        | Class D Felony |
|               |          |              |             |                               |                   |                          | 200 to 400 grams;<br>80 to 160 units  | Class C Felony |
|               |          |              |             |                               |                   |                          | 400 to 800 grams;<br>160 to 800 units | Class B Felony |
|               |          |              |             |                               |                   |                          |                                       |                |
|               |          |              |             |                               |                   | <b>Delivery</b>          | > 200 grams                           | Class D Felony |

**Schedule 5 Drugs:**

|  |  |  |  |  |  |                   |                |
|--|--|--|--|--|--|-------------------|----------------|
|  |  |  |  |  |  | 200 to 400 grams  | Class C Felony |
|  |  |  |  |  |  | 400 to 800 grams  | Class B Felony |
|  |  |  |  |  |  |                   |                |
|  |  |  |  |  | <b>Manufacture</b>                           | > 200 grams       | Class D Felony |
|  |  |  |  |  |  | 200 to 400 grams  | Class C Felony |
|  |  |  |  |  |  | 400 to 800 grams  | Class B Felony |
|  |  |  |  |  |  |                   |                |
|  |  |  |  |  | <b>Trafficking</b>                           | 800 grams or more | Class Y Felony |
|  |  |  |  |  |  |                   |                |
|  |  |  |  |  | <b>Possession of a Counterfeit Substance</b> | Any               | Class D Felony |
|  |  |  |  |  |  |                   |                |
|  |  |  |  |  |  |                   |                |

| Class of Drug     | Narcotic   | Hallucinogen | Depressants | Stimulants | Crime                                       | Amount           | Punishment     |
|-------------------|--|--------------|-------------|------------|---|------------------|----------------|
| <b>SCHEDULE 6</b> | Marijuana<br>Tetrahydrocannabinols<br>K2<br>Salvia |              |             |            | <b>Possession (and 2 prior convictions)</b> | 1oz to 4 oz      | Class D Felony |
|                   |  |              |             |            |   |                  |                |
|                   |  |              |             |            | <b>Possession</b>                           | less than 4 oz   | Class A misd.  |
|                   |  |              |             |            |   | 4oz to 10lbs     | Class D Felony |
|                   |  |              |             |            |   | 10 to 25lbs      | Class C Felony |
|                   |  |              |             |            |   | 25lbs to 100lbs  | Class B Felony |
|                   |  |              |             |            |   | 100lbs to 500lbs | Class A Felony |
|                   |  |              |             |            |   |                  |                |
|                   |  |              |             |            | <b>Intent to Deliver</b>                    | 14 grams to 4oz  | Class D Felony |
|                   |  |              |             |            |   | 4oz to 25lbs     | Class C Felony |
|                   |  |              |             |            |   | 25 to 100lbs     | Class B Felony |
|                   |  |              |             |            |   | 100 to 500lbs    | Class A Felony |
|                   |  |              |             |            |   |                  |                |
|                   |  |              |             |            | <b>Delivery</b>                             | 14 grams to 4 oz | Class D Felony |
|                   |  |              |             |            |   | 4oz to 25lbs     | Class C Felony |
|                   |  |              |             |            |   | 25 to 100lbs     | Class B Felony |
|                   |  |              |             |            |   | 100 to 500lbs    | Class A Felony |
|                   |  |              |             |            |   |                  |                |
|                   |  |              |             |            | <b>Manufacture</b>                          | 14 grams to 4 oz | Class D Felony |
|                   |  |              |             |            |   | 4oz to 25lbs     | Class C Felony |
|                   |  |              |             |            |   | 25 to 100lbs     | Class B Felony |

**Schedule 6 Drugs:**

|  |  |  |  |  |  |  |                |                |
|--|--|--|--|--|--|--|----------------|----------------|
|  |  |  |  |  |  | 100lbs or more                               | Class A Felony |                |
|  |  |  |  |  |  |  |                |                |
|  |  |  |  |  |  | <b>Trafficking</b>                           | 500lbs or more | Class Y Felony |
|  |  |  |  |  |  |  |                |                |
|  |  |  |  |  |  | <b>Possession of a Counterfeit Substance</b> | Any            | Class D Felony |
|  |  |  |  |  |  |  |                |                |

| <b>DRUG PARAPHERNALIA</b>         |  |                   |
|-----------------------------------|--|-------------------|
| <b>Drug</b>                       | <b>Use</b>   | <b>Punishment</b> |
| Schedule 2(b)                     | Inject, ingest, inhale or otherwise introduce into the body  | Class D Felony    |
| Schedule 2(b)                     | plant, propogate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, and/or conceal | Class B Felony    |
| Schedule 1, 2(a), 3, 4, 5, 6      | plant, propogate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, and/or conceal | Class D Felony    |
| Schedule 1, 2(a), 2(b) 3, 4, 5, 6 | Intent to Deliver or Delivery to a Minor   | Class B Felony    |

**KEY Class D Felony:** 0-6 years in prison and up to a \$10,000 fine;

**Class C Felony:** 3-10 years in prison and up to \$10,00 fine;

**Class B Felony:** 5-20 years in prison and up to a \$15,000 fine;

**Class A Felony:** 6-30 years in prison and up to a \$15,000 fine;

**Class Y Felony:** 10-40 years or life

## **Alcohol & Illicit Drug Health Risks:**

The use of every drug, including alcohol, carries with it potential health risks:

***Alcohol:*** Alcohol consumption causes a number of impairments including changes in behavior and normal body function. Even low doses significantly impair judgment, coordination, and mental function thus increasing the risks of accidents and injuries. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses taken acutely can cause respiratory depression and even death. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism and fights. Additional consequences include DUI arrests and serious or fatal car crashes. Continued abuse may lead to dependency, which can cause permanent damage to vital organs and deterioration of a healthy lifestyle.

***Amphetamines:*** Amphetamines can cause a rapid or irregular heartbeat, tremors, convulsions, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

***Cannabis (Marijuana, Hashish):*** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

***Club Drugs:*** Club drugs are drugs such as MDMA (Ecstasy), Rohypnol, GHB, LSD, and methamphetamine and others, which are used at all-night parties such as trances or raves, dance clubs and bars. These party drugs, particularly when mixed with alcohol, can cause serious health problems, injuries, or even death.

***Cocaine/Crack:*** Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

***Hallucinogens:*** Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, PCP episodes may result in self-inflicted injuries, violence and aggressive behavior toward others.

***Heroin:*** Heroin is an opiate drug that causes the body to have diminished pain reactions. Overdoses of this highly addictive drug can result in coma or death due to respiratory failure or cardiovascular collapse.

To find out more about these commonly abused agents and other substances of abuse not listed above go to: <http://www.deadiversion.usdoj.gov/21cfr/21usc/812.htm>