POLICY ON DRUG-FREE SCHOOLS AND

DRUG-FREE WORKPLACE

NOVEMBER 2014
VILLANOVA UNIVERSITY POLICY
ON DRUG-FREE SCHOOLS AND
DRUG-FREE WORKPLACE

STANDARDS OF CONDUCT:

1. **Drugs**

The use of narcotics, dangerous drugs and controlled substances without a prescription on University premises, as elsewhere, is illegal. Villanova University prohibits the unlawful manufacture, distribution, dispensation, sale, possession or use of any drug by any of its employees or students in its workplace, on its premises or as part of any of its activities. In addition, the University may also, under appropriate circumstances in the University's discretion, discipline its employees or students in response to the unlawful manufacture, distribution, dispensation, sale, possession or use of any drug outside its workplace or off its campus premises.

With respect to students, the University reserves the right to sanction both the residents of the on-campus room or apartment where the violation occurs and/or those present at the time of the violation. The University may sanction students and employees in cases where indicia of use are present, but where no drugs are recovered. These indicia may include but are not limited to: the odor of marijuana, the presence of drug paraphernalia, lack of cooperation or attempts to mask odors upon confrontation, deliberate attempts to block airways or other such similar behavior designed to avoid detection.

The University does not allow any form of drug paraphernalia on property owned or controlled by the University. Any student or employee found in possession of drug paraphernalia (bongs, pipes, rolling papers, hookahs, grinders, scales, etc.) will be in violation of this Policy.

Each University employee will, as a condition of employment, abide by the Drug-Free Workplace Act. Employees may obtain a copy of the full Drug-Free Workplace Policy at http://www1.villanova.edu/villanova/hr/policies/university/drugfreeschools.html. Pursuant to the Drug-Free Workplace Act, any employee engaged in the performance of a federal grant or contract is required to notify his or her supervisor no later than five days after any conviction under a criminal drug statute for a violation that occurred in the workplace. When a supervisor is notified by an employee of such a conviction, he or she shall immediately notify the Associate Vice President for Human Resources and the Director, Office of Research Administration. The Director, Office of Research Administration will notify the appropriate federal agency within ten (10) days of receiving notice of such conviction.

2. **Alcohol**

Villanova University permits the lawful keeping and consumption, in moderation, of alcoholic beverages on its property or property under its control by persons of legal drinking age (21 years or older), as described below.

**Students who are under the legal age of 21:**

a. Are not permitted to possess, consume, purchase, attempt to purchase or transport alcoholic beverages on or off the campus consistent with state law.

b. May not have anyone (except current roommates who have attained the legal age) possess or consume alcoholic beverages in their on-campus residence hall rooms/apartments.

c. Are permitted to possess and consume a moderate amount of alcohol (in closed containers) consistent with the limits set forth above. Each on-campus room/apartment is permitted a maximum of one 750 ml bottle of liquor; or one 30 pack of beer/malt liquor and two 750 ml bottles of wine; or one 750 ml bottle of liquor and two 750 ml bottles of wine.

d. On-campus residents of legal age may transport an amount of alcohol (in closed containers) consistent with the limits set forth above. Transport may only be in close proximity to the student’s own residence hall and only to the student’s own residence hall room/apartment.

**Students who are 21 years of age or older:**

While students of legal age may choose to possess and consume alcoholic beverages, they are expected to do so consistent with the concept of responsible and moderate consumption. The University will not tolerate abusive or dangerous consumption or any disruptive or disorderly conduct related to the excessive consumption of alcohol either on or off the campus.

**Students who have attained the legal age of 21 who reside on campus:**

a. Are permitted to possess and consume a moderate amount of alcohol in their own on-campus residence hall room/apartment.

b. Are permitted to possess and consume a moderate amount of alcohol in another on-campus residence hall room/apartment where at least one resident of that room/apartment has attained the legal age of 21. A legal-aged resident of that room/apartment must be present at the time of consumption.

c. Are permitted to allow legal-aged guests to possess and consume a moderate amount of alcohol in their on-campus residence hall room/apartment. The legal-aged residents of the room/apartment are responsible for assuring compliance with all University policies and ensuring that all guests are of legal drinking age. A legal-aged resident of the room/apartment must be present at the time of the consumption.

d. Regardless of the number of legal-aged residents in an on-campus residence hall room/apartment, the quantity of alcohol permitted may not be in excess of:

- one 30 pack of beer/malt liquor and one 750 ml bottle of liquor; or
- one 30 pack of beer/malt liquor and two 750 ml bottles of wine; or
- one 750 ml bottle of liquor and two 750 ml bottles of wine.

e. On-campus residents of legal age may transport an amount of alcohol in an on-campus residence hall room/apartment as the guest of a legal-aged Villanova student resident in that student’s own residence hall and only to the student’s own residence hall room/apartment.

**Students who are 21 years of age or older who do not reside on campus:**

a. Are permitted to possess and consume a moderate amount of alcohol in an on-campus residence hall room/apartment as the guest of a legal-aged Villanova student resident in that student’s room/apartment. The legal-aged resident of the room/apartment must be present at the time of the consumption.

b. May not transport alcoholic beverages to the residence halls/apartments, or to campus without authorization from appropriate University officials.

**Prohibited student conduct, regardless of age:**

a. The consumption of alcoholic beverages or possession of open containers of alcoholic beverages in public places, including hallways, lounges, buildings, outdoor spaces, or anywhere on University grounds without authorization from appropriate University officials will result in a minimum sanction of written warning and a $50.00 fine. Alcoholic beverages may not be possessed or consumed in academic or administrative areas of campus without authorization from appropriate University officials.
b. Beer kegs in any condition, beer balls, any similar type of common source and their equivalents in volume of beer and/or alcohol content are not permitted in the residence halls/apartments or on campus without authorization from appropriate University officials. Violations will result in disciplinary probation, loss of campus residency and a minimum fine of $500.00 per person residing in the room/apartment. An outdoor violation may result in suspension from the University.

c. “Handles” (1.75 liter bottle) of alcohol are prohibited.

d. The use or possession of paraphernalia specifically associated with the consumption of alcohol (e.g. funnels, beer-pong tables, any item associated with drinking games, etc.) by students is prohibited on campus. Violations may result in disciplinary probation and/or a fine.

e. The use or possession of grain alcohol is prohibited and will result in a minimum sanction of disciplinary probation and a fine of $500.00.

f. The use or possession of caffeinated alcoholic energy drinks is prohibited and may result in disciplinary probation, plus one or more attendant restrictions, and a fine of $100.00 per six-pack.

g. Driving on campus or in the local community while under the influence of alcohol and/or drugs will result in suspension from the University.

h. Students or student organizations responsible for organizing non-University sponsored events (e.g. ticket parties or list parties) that result in underage drinking, misbehavior, or criminal activity may be subject to suspension from the University. Hosting a non-University sponsored event at a third-party vendor shall not exonerate the student or student organization from responsibility. University sponsored events where alcohol may be served must be approved by the appropriate University official.

**With respect to employees, the University prohibits:**

a. the consumption of alcoholic beverages by any University employee where the consumption adversely affects job performance and/or endangers the physical well-being of other persons and/or the consuming individual, including where consumption of alcohol prior to reporting to work is still evident during work hours.

b. the consumption of alcoholic beverages by any University employee during his/her normal working hours including lunch and other break times regardless of the effect on job performance unless the consumption occurs in the course of an authorized business or special University function which included alcoholic beverages or the consumption was otherwise approved by the University. In the case of staff employees, such approval may be granted only by Directors of Departments or their supervisors; in the case of faculty, such approval may be granted either by the Department Chair/Center Director/Program Director, the appropriate Dean or the Vice President for Academic Affairs.

c. the consumption of alcoholic beverages or possession of open containers of alcoholic beverages in public places, including hallways, lounges, buildings, outdoor spaces or anywhere on grounds without authorization from appropriate University officials.

d. driving in the local community while under the influence of alcohol, illegal drugs or controlled substances.

Please see the “Legal Sanctions” and “University Sanctions” sections below for information on possible consequences to employees and students of violating the standards of conduct set forth above. In addition, the University reserves the right to exercise discretion in taking disciplinary action against employees or students involved in off campus activity that violates these standards of conduct.
LEGAL SANCTIONS:

The following is a summary description of the legal sanctions under State and Federal law for the unlawful possession or distribution of illicit drugs and alcohol:

1. Drugs -- State Penalties and Sanctions for Illegal Possession, Sale or Delivery of a Controlled Substance:

a. The Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. § 780-101 et seq. sets up 5 schedules of controlled substances based on potential for abuse, dangerousness and medical uses. The Act prohibits, among other things, the manufacture, distribution, sale or acquisition by misrepresentation or forgery of controlled substances except in accordance with the Act, as well as the knowing possession of controlled substances unlawfully acquired. Penalties for first-time violators of the Act range from 30 days imprisonment, a $500 fine or both for possession or distribution of a small amount of marijuana or hashish not for sale, to 15 years imprisonment or a $250,000 fine or both for the manufacture or delivery of a Schedule I or II narcotic.

Fines and terms of imprisonment may be doubled under certain circumstances, including the distribution of a controlled substance to a person under 18 years of age or a conviction for a second or subsequent offense. Immunity from prosecution under Pennsylvania law may be available for certain drug-related offenses for the person who calls 911, campus safety, police or emergency services to report that another person is in need of immediate medical attention to prevent death or serious injury, provides his/her own name, and remains with the person needing medical assistance until emergency services arrive, if the only way law enforcement officers become aware of the violation is due to the call.

b. 18 Pa. C.S. §§ 6314, 6317 – A person over 18 years of age who is convicted for violating the Controlled Substance, Drug, Device and Cosmetic Act shall be sentenced to a minimum of at least one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor. If the offense is committed within 1,000 feet of the real property on which is located a public, private or parochial school or a college or university or within 250 feet of the real property on which is located a recreation center or playground or on a school bus (“drug free school zones”), the person shall be sentenced to an additional minimum sentence of at least 2 years total confinement. Such offenses not involving minors in drug free school zones are subject to a mandatory minimum of two years of total confinement.

c. The Pharmacy Act of 1961, 63 P.S. § 390-8 prohibits, among other things, procuring or attempting to procure drugs by fraud, deceit, misrepresentation or subterfuge or by forgery or alteration of a prescription. The first offense is a misdemeanor, with a maximum penalty of one year’s imprisonment, a $5,000 fine, or both. For each subsequent offense, the maximum penalty is three years’ imprisonment, a $15,000 fine, or both.

d. The Vehicle Code, 75 Pa. C.S. § 3802 et seq. prohibits driving, operating or being in actual physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance, or both, if the driver is thereby rendered incapable of safely driving, operating or being in actual physical control of the movement of the vehicle or if the alcohol concentration in the individual’s blood or breath exceeds the stated limits. Penalties for first-time violators of the Act range from a mandatory term of six months’ probation, a $300 fine or both to a maximum of 72 hours imprisonment, a $5,000 fine or both. Penalties for subsequent violations increase to a maximum of not less than one year imprisonment, a $10,000 fine or both. In addition to the above penalties, the court has discretion to order any or all of the following: highway safety training, drug or alcohol treatment, community service, attendance at a victim impact panel, use of an ignition interlock device and/or suspension of operating privileges.

2. Drugs -- Federal Penalties and Sanctions for Illegal Possession or Trafficking of a Controlled Substance:

a. 21 U.S.C. §§ 841, 844(a)

For possession:

1st conviction: Up to 1 year imprisonment and fine of at least $1,000 or both.

After 1 prior drug conviction: At least 15 days imprisonment, not to exceed 2 years, and fine of at least $2,500.

After 2 or more prior drug convictions: At least 90 days imprisonment, not to exceed 3 years, and fine of at least $5,000.

Special sentencing provisions for possession of flunitrazepam (the “date rape drug”): imprisonment not to exceed 3 years and fine of at least $1,000.

Additional penalties, including imprisonment and fines, apply for manufacture or distribution of a controlled substance or possession with intent to manufacture, distribute, or dispense, a controlled substance.

In addition to the above penalties, the court has discretion, upon conviction, to order a fine in the amount of the reasonable costs of the investigation and prosecution of the offense.

b. 21 U.S.C. §§ 853(a) and 881(a) -- Forfeiture of personal and real property used, or intended to be used, to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment.

Forfeiture of money, controlled substances, drug paraphernalia, firearms, books and records, vehicles, boats, aircraft or any other conveyance used, or intended to be used, to transport or facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance or any raw materials, products, or equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance.

c. 20 U.S.C. § 1091(r) – A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any grant, loan, or work assistance that occurred during a period of enrollment for which the student was receiving any grant, loan, or work assistance under federal law, shall not be eligible to receive any grant, loan, or work assistance during the period beginning on the date of such conviction and ending after the interval specified as follows: If convicted of an offense involving the possession of a controlled substance, first offense ineligible for 1 year, second offense ineligible for 2 years, third offense ineligible indefinitely. If convicted of an offense involving the sale of a controlled substance, the penalty for the first offense is an ineligibility period of 2 years, the penalty for a second offense is ineligibility for an indefinite period.

A student whose eligibility has been suspended under the above paragraph may resume eligibility before the end of
the ineligibility period determined under such paragraph if
– (a) the student satisfactorily completes a drug
rehabilitation program that – (i) complies with such criteria
as prescribed by regulations, and (ii) includes two
unannounced drug tests; (b) the student successfully passes
two unannounced drug tests conducted by a drug
rehabilitation program that complies with such criteria as
prescribed by regulations; or (c) the conviction is reversed,
set aside, or otherwise rendered nugatory.

d. 21 U.S.C.S. § 862 -- Denial of Federal benefits, such as
grants, contracts, loans, and professional and commercial
licenses, up to (i) 1 year for first offense (ii) successfully
complete an approved drug treatment program, including
periodic testing, (iii) perform appropriate community
service or any combination of clause (i) (ii) or (iii), up to 5
years for second and subsequent offenses. These penalties
are for possession. Penalties are increased for trafficking.

e. 18 U.S.C.S. § 922(g) -- Ineligible to receive or purchase a
firearm or ammunition.

f. 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.

g. See the chart describing Federal Trafficking Penalties
attached to this Policy as Appendix A for additional
information.

3. Alcohol -- State Penalties and Sanctions for Illegal
Possession or Other Violations:

The Pennsylvania Liquor Code, 47 P.S. § 1-101 et seq., controls
the possession and sale of alcoholic beverages within the Common-
wealth. The Code (in conjunction with portions of the Pennsylvania
Statutes pertaining to crimes and offenses involving minors, 18 Pa.
C.S.A. § 6307 et seq.) provides as follows:

a. It is a summary offense for a person under the age of 21 to
attempt to purchase, purchase, consume, possess or knowingly and
intentionally transport any liquor or malt or brewed beverages. The
penalty for a first offense is suspension of driving privileges for 90
days and a fine up to $500 and imprisonment for up to 90 days; for a
second offense, suspension of driving privileges for one year and a
fine up to $1,000, and imprisonment for up to 90 days; for a
subsequent offense, suspension of driving privileges for two years and
a fine up to $1,000, and imprisonment for up to 90 days. Multiple sentences involving suspension of driving privileges must
be served consecutively.

b. It is a crime intentionally and knowingly to sell or
intentionally and knowingly to furnish or to purchase with the intent
to sell or furnish, any liquor or malt or brewed beverages to any
minor (under the age of 21). "Furnish" means to supply, give or
provide to, or allow a minor to possess on premises or property
owned or controlled by the person charged. The minimum fine for a
first violation is $1,000; $2,500 for each subsequent violation;
imprisonment for up to one year for any violation.

c. It is a crime for any person under 21 years of age to
possess an identification card falsely identifying that person as being
21 years of age or older, or to obtain or attempt to obtain liquor or
malt or brewed beverages by using a false identification card. The
penalty for a first offense is suspension of driving privileges for 90
days, a fine up to $300 and imprisonment for up to 90 days; for a
second offense, suspension of driving privileges for one year, a fine
up to $500 and imprisonment for up to one year; for a subsequent
offense, suspension of driving privileges for two years, a fine up to
$500 and imprisonment for up to one year.

d. It is a crime intentionally, knowingly or recklessly to man-
ufacture, make, alter, sell or attempt to sell an identification card
falsely representing the identity, birthdate, or age of another. Fine is
up to $2,500 for first violation; up to $5,000 for subsequent
violations; imprisonment for up to two years for any violation.

e. It is a crime knowingly to misrepresent one's age to obtain
liquor. Penalties are as stated in (c) above.

f. It is a crime to appear in any public place manifestly under
the influence to the degree that he/she may endanger himself/herself
or other persons or property, or annoy persons in his/her vicinity.
Penalty is a fine up to $300 and imprisonment for up to 90 days.

g. It is a crime knowingly, willfully and falsely to represent
that another is of legal age to obtain liquor or malt or brewed bever-
ages. Penalty is a minimum fine of $300 and imprisonment for up to
one year.

h. It is a crime to hire, request or induce any minor to
purchase liquor or malt or brewed beverages. The penalty is a
minimum fine of $300 and imprisonment for up to one year.

i. Sales without a license or purchases from an unlicensed
source of liquor or malt beverages are prohibited.

j. It is unlawful to possess or transport liquor or alcohol
within the Commonwealth unless it has been purchased from a
Pennsylvania State Liquor Store or in accordance with Liquor
Control Board regulations.

k. Immunity from prosecution may be available for
consumption or possession offenses involving minors for the person
who calls 911, campus safety, police or emergency services to report
that another person is in need of immediate medical attention to
prevent death or serious injury, provides his/her own name, and
remains with the person needing medical assistance until emergency
health care providers arrive and the need for his/her presence ends
if: (1) the only way law enforcement officers become aware of the
violation is due to the call, and (2) the person reasonably believes he
or she is the first person to make the call.

HEALTH RISKS:

1. Alcohol

Effects -- Alcohol consumption causes a number of marked
changes in behavior. Even low doses significantly impair the
judgment and coordination required to drive a car safely, increasing
the likelihood that the driver will be involved in an accident. Low
to moderate doses of alcohol also increase the incidence of a variety of
aggressive acts, including spouse and child abuse. 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 cause respiratory depression and
death. If combined with other depressants of the central nervous
system, much lower doses of alcohol will produce the effects just
described.

Persons under the influence of alcohol are also at higher risk to
become perpetrators or victims of crime, abuse or sexual assault.
Such persons might also manifest behaviors that violate Villanova's
employment policies and procedures or the Code of Student
Conduct, leaving the employee or student open to sanctions that
could include termination or expulsion from the University.

Repeated use of alcohol can lead to dependence. Sudden
cessation of alcohol intake is likely to produce withdrawal
symptoms, including severe anxiety, tremors, hallucinations, and
convulsions. Alcohol withdrawal can be life-threatening. Long-
term consumption of large quantities of alcohol, particularly when
combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

2. Drugs

For a summary description of the health risks associated with controlled substances see the chart attached to this Policy as Appendix B entitled "Controlled Substances - Uses and Effects."

**DESCRIPTION OF PROGRAMS:**

1. **Student Drug and Alcohol Assistance** – The University Counseling Center, the Office of Health Promotion and the Dean of Students Office aid students who may be seeking help with problems involving alcohol/drug abuse. These services include parent, faculty and staff consultations; drug and alcohol evaluations; and confidential individual counseling at the University Counseling Center.

- Education, intervention and prevention programs:
  - In addition, the University offers a number of preventative initiatives aimed at the overall student population to reduce their risk for a variety of alcohol-related consequences and to increase their use of protective strategies. These initiatives include:
    - alcohol-free social options on and off campus;
    - required pre-matriculation online alcohol and sexual assault education;
    - parent-based outreach and education through parent online alcohol education courses, presentations at orientation, Parents Weekend and through a parent e-publication Student Health 101 for Parents;
    - print and Web materials, including new BACards.com app customized with Villanova campus resources;
    - peer engagement through the POWER peer education program and academic internship programs; and
    - social marketing efforts through the monthly Student Health 101 (e-publication) and Stall Street Journal monthly bathroom publication that regularly features information about alcohol use and abuse, including how to recognize and help an intoxicated friend, and campus resources for students with substance abuse concerns.

- A number of intervention strategies are aimed at students who demonstrate higher risk alcohol-related attitudes and behaviors. These include:
  - 21st birthday card initiative designed to help students plan for safer celebrations;
  - BASICS (Brief Alcohol Screenin and Intervention for College Students) with students who are referred by any Villanova community member and/or mandated because of an alcohol policy violation to receive personalized feedback about their own alcohol use compared with healthier campus norms, along with guidance about reducing their future use;
  - bystander intervention training to prepare students to respond more effectively and confidently in situations where alcohol abuse and sexual assault might be prevented; and
  - small group social norms with all formally recognized fraternity and sorority Chapters to provide personalized Chapter-specific feedback about their Chapter alcohol use compared with healthier campus norms.

- Peer education program:
  - The POWER (Peers Offering Wellness, Education & Resources) peer education program regularly trains students in the areas of alcohol and other drug use, sexual assault, and nutrition. These volunteer students prepare programming and outreach on these four major health areas throughout the academic year and focus much of their efforts on alcohol around high-risk times of the year (e.g. the first six weeks of the semester with first year students; Homecoming; Halloween; Superbowl; pre-spring break; St. Patrick’s Day, and spring concert weekend). Most POWER program requests from student groups on campus are for alcohol education.

- Alcohol and drug resource library:
  - The Office of Health Promotion hosts a resource center featuring books, brochures, CDs, DVDs and other multimedia materials for any Villanova community member to check out using the Falvey library system. The resource center includes alcohol and other drug-related resources, including the issue of alcohol abuse on college campuses, addiction, the myths around the most misunderstood drug (alcohol), other drug use, and how to intervene or express concern about someone with a substance abuse issue.

2. **Employee Drug and Alcohol Assistance** – Villanova has communicated with its employees, by dissemination of educational literature and materials, about the dangers of drug and alcohol abuse in the workplace. Villanova University provides voluntary substance abuse counseling/referrals through its Human Resources Department and its Employee Assistance Program. The Employee Assistance Program, known as Health Advocate, is provided by an outside company under contract with the University. Health Advocate offers up to five free counseling sessions for evaluation, short-term counseling and, if necessary, referral into ongoing substance abuse treatment under the employee’s medical plan. In conjunction with, or as an alternative to disciplinary action, the Human Resources Department may offer or mandate referrals to Health Advocate and/or other rehabilitation programs. Employees may contact Health Advocate toll-free at 866-799-2728.

**UNIVERSITY SANCTIONS:**

In addition to sanctions imposed by local, State or Federal authorities for violations of any of the above-mentioned laws, any University student or employee who violates this Policy or is convicted under a criminal drug statute for a violation occurring on or outside the workplace or campus premises will be subject to the University’s disciplinary procedures which impose sanctions up to and including expulsion or termination from employment, and/or referral for prosecution. Students or employees may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program. A detailed description of the possible sanctions for student violations of this Policy may be found in the Student Handbook (the "Blue Book").

The Blue Book also contains information concerning the University’s Medical Assistance Policy, which stipulates that students who seek medical assistance for an intoxicated/impaired student will not be subject to formal disciplinary action if they too, are intoxicated.
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<tr>
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<tr>
<td>Department of Human Resources</td>
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<tr>
<td>Villanova University</td>
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<tr>
<td>800 Lancaster Avenue</td>
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<td>Villanova, PA 19085</td>
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<td>Dean of Students Office</td>
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<td>800 Lancaster Avenue</td>
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<td>Villanova, PA 19085</td>
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<td>(610) 519-4050</td>
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### APPENDIX A

**Federal Trafficking Penalties**

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
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<tbody>
<tr>
<td>II</td>
<td>Cocaine 500-4999 grams mixture</td>
<td>First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
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<td>II</td>
<td>Cocaine Base 28-279 grams mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td>
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<td>IV</td>
<td>Fentanyl 40-399 grams mixture</td>
<td>First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.</td>
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<tr>
<td>I</td>
<td>Fentanyl Analogue 10-99 grams mixture</td>
<td>Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.</td>
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<td>I</td>
<td>Heroin 100-999 grams mixture</td>
<td>2 or More Prior Offenses: Life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.</td>
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<td>I</td>
<td>LSD 1-9 grams mixture</td>
<td>First Offense: Not less than 10 yrs. and not more than 15 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than $500,000 if an individual, $1 million if not an individual.</td>
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<tr>
<td>II</td>
<td>Methamphetamine 5-49 grams pure or 50-499 grams mixture</td>
<td>Second Offense: Not less than 20 yrs. and not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual.</td>
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<td>II</td>
<td>PCP 10-99 grams pure or 100-999 grams mixture</td>
<td>First Offense: Not less than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.</td>
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<td></td>
<td>Substance/Quantity</td>
<td>Penalty</td>
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<tr>
<td>Any Amount Of Other Schedule I &amp; II Substances</td>
<td>First Offense: Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine $1 million if an individual, $5 million if not an individual.</td>
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<td>Any Drug Product Containing Gamma Hydroxybutyric Acid</td>
<td>Second Offense: Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.</td>
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<tr>
<td>Flunitrazepam (Schedule IV) 1 Gram</td>
<td>First Offense: Not less than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than $2.5 million if an individual, $5 million if not an individual.</td>
<td></td>
</tr>
<tr>
<td>Any Amount Of Other Schedule III Drugs</td>
<td>Second Offense: Not less than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual.</td>
<td></td>
</tr>
<tr>
<td>Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)</td>
<td>First Offense: Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
<td></td>
</tr>
<tr>
<td>Any Amount Of All Schedule V Drugs</td>
<td>Second Offense: Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if other than an individual.</td>
<td></td>
</tr>
</tbody>
</table>

### Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances

<table>
<thead>
<tr>
<th>Substance</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana</td>
<td>First Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $10 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td></td>
<td>Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75 million if other than an individual.</td>
</tr>
<tr>
<td>Marijuana</td>
<td>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than $5 million if an individual, $25 million if not an individual.</td>
</tr>
<tr>
<td></td>
<td>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $8 million if an individual, $40 million if other than an individual.</td>
</tr>
<tr>
<td>Marijuana</td>
<td>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine $1 million if an individual, $5 million if not an individual.</td>
</tr>
<tr>
<td></td>
<td>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual.</td>
</tr>
<tr>
<td>Hashish</td>
<td>First Offense: Not less than 5 yrs. Fine not more than $250,000, $1 million if other than an individual.</td>
</tr>
<tr>
<td></td>
<td>Second Offense: Not more than 10 yrs. Fine $500,000 if an individual, $2 million if other than an individual.</td>
</tr>
</tbody>
</table>

## APPENDIX B

### Controlled Substances - Uses and Effects

<table>
<thead>
<tr>
<th>DRUGS</th>
<th>CSA SCHEDULES</th>
<th>TRADE OR OTHER NAMES</th>
<th>MEDICAL USES</th>
<th>PHYSICAL</th>
<th>PSYCHOLOGICAL</th>
<th>TOLERANCE</th>
<th>DURATION (HOURS)</th>
<th>USUAL METHOD</th>
<th>POSSIBLE EFFECTS</th>
<th>EFFECTS OF OVERDOSE</th>
<th>WITHDRAWAL SYNDROME</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Narcoites</strong></td>
<td></td>
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<tr>
<td>Heroin</td>
<td>Substance I</td>
<td>Diamorphine, Horse, Smack, Black tar, Chiva, Negra (black tar)</td>
<td>None in U.S., Analgesic, Antitussive</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-4</td>
<td>Injected, snorted, smoked</td>
<td>Euphoria, drowsiness, respiratory depression, constricted pupils, nausea</td>
<td>Slow and shallow breathing, clammy skin, convulsions, coma, possible death</td>
<td>Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating</td>
</tr>
<tr>
<td>Morphine</td>
<td>Substance II</td>
<td>MS-Contin, Roxanol, Oramorph SR, MSIR</td>
<td>Analgesic</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-12</td>
<td>Oral, injected</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Hydrocodone</td>
<td>Substance II, Product III, V</td>
<td>Hydrocodone w/Acetaminophen, Vicodin, Vicoprofen, Tussionex, Lortab</td>
<td>Analgesic, Antitussive</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-6</td>
<td>Oral</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Hydro- morphone</td>
<td>Substance II</td>
<td>Dilaudid</td>
<td>Analgesic</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-4</td>
<td>Oral, injected</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Oxycodone</td>
<td>Substance II</td>
<td>Roxicet, Oxycodone w/Acetaminophen, OxyContin, Endocet, Percocet, Percodan</td>
<td>Analgesic</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>3-12</td>
<td>Oral</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Codeine</td>
<td>Substance II, Products III, V</td>
<td>Acetaminophen, Guaiifenesin or Promethazine w/Codeine, Fiorinal, Fioricet or Tylenol w/Codeine</td>
<td>Analgesic, Antitussive</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Yes</td>
<td>3-4</td>
<td>Oral, injected</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Other Narcotics</td>
<td>Substance II, III, IV</td>
<td>Fentanyl, Demerol, Methadone, Darvon, Stadol, Talwin, Paregoric, Buprenex</td>
<td>Analgesic, Antidiarrheal, Antitussive</td>
<td>High-Low</td>
<td>High-Low</td>
<td>Yes</td>
<td>Variable</td>
<td>Oral, injected, snorted, smoked</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td><strong>Depressants</strong></td>
<td></td>
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</tr>
<tr>
<td>Gamma Hydroxybutyric Acid (GHA)</td>
<td>Substance I, Product III</td>
<td>GHB, Liquid Ecstasy, Liquid X, Sodium Oxybate, Xyrem®</td>
<td>None in U.S., Anesthetic</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Yes</td>
<td>3-6</td>
<td>Oral</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Benzodiazepines</td>
<td>Substance IV</td>
<td>Valium, Xanax, Halcion, Ativan, Restoril, Rohypnol (Roofies, R-2), Klonopin</td>
<td>Antianxiety, Sedative, Anti-convulsant, Hypnotic, Muscle Relaxant</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Yes</td>
<td>1-8</td>
<td>Oral, injected</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Other Depressants</td>
<td>Substance I, II, III, IV</td>
<td>Ambien, Sonata, Meprobamate, Chloral Hydrate, Barbiturates, Methaqualone (Quaalude)</td>
<td>Antianxiety, Sedative, Hypnotic</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-6</td>
<td>Oral</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td><strong>Stimulants</strong></td>
<td></td>
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</tr>
<tr>
<td>Cocaine</td>
<td>Substance II</td>
<td>Coke, Flake, Snow, Crack, Coca, Blanca, Perico, Nieve, Soda</td>
<td>Local anesthetic</td>
<td>Possible</td>
<td>High</td>
<td>Yes</td>
<td>1-2</td>
<td>Snorted, injected, smoked</td>
<td>Increased alertness, excitation, euphoria, increased pulse rate &amp; blood pressure, agitation, increased body temperature, hallucinations, convulsions, possible death</td>
<td>Apathy, long periods of sleep, irritability, depression, disorientation</td>
<td>Unknown</td>
</tr>
<tr>
<td>Amphetamine/ Methampheta-mine</td>
<td>Substance II</td>
<td>Crack, Ice, Cristal, Krystal Meth, Speed, Adderall, Dextedrine, Desoxyn</td>
<td>Attention deficit/hyperactivity disorder</td>
<td>Possible</td>
<td>High</td>
<td>Yes</td>
<td>2-4</td>
<td>Oral, injected, smoked</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Methylphenidate</td>
<td>Substance II</td>
<td>Ritalin (Illy's), Concerta, Focalin, Metadate</td>
<td>Attention deficit/hyperactivity disorder</td>
<td>Possible</td>
<td>High</td>
<td>Yes</td>
<td>2-4</td>
<td>Oral, injected, smoked</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
<tr>
<td>Other Stimulants</td>
<td>Substance III, IV</td>
<td>Adipex P, Ionamin, Prebu-2, Didrex, Provigil</td>
<td>Vasodilation</td>
<td>Possible</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-4</td>
<td>Oral</td>
<td>Convulsions, coma, possible death</td>
<td>Unknown</td>
<td>Unknown</td>
</tr>
</tbody>
</table>
### Controlled Substances - Uses and Effects

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</tr>
</thead>
<tbody>
<tr>
<td><strong>Hallucinogens</strong></td>
<td></td>
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</tr>
<tr>
<td>MDMA and Analogs</td>
<td>Substance I</td>
<td>(Ecstasy, XTC, Adam), MDA (Love Drug), MDEA (Eve), MBDB</td>
<td>None</td>
<td>None</td>
<td>Moderate</td>
<td>Yes</td>
<td>4-6</td>
<td>Oral, snorted, smoked</td>
<td>Heightened senses, teeth grinding and dehydration</td>
<td>Increased body temperature, electrolyte imbalance, cardiac arrest</td>
<td>Muscle aches, drowsiness, depression, acne</td>
</tr>
<tr>
<td>LSD</td>
<td>Substance I</td>
<td>Acid, Microdot, Sunshine, Boomers</td>
<td>None</td>
<td>None</td>
<td>Unknown</td>
<td>Yes</td>
<td>8-12</td>
<td>Oral</td>
<td>Illusions and hallucinations, altered perception of time and distance</td>
<td>(LSD) Longer, more intense &quot;trip&quot; episodes</td>
<td>None</td>
</tr>
<tr>
<td>Phencyclidine and Analogs</td>
<td>Substance I, II, III</td>
<td>PCP, Angel Dust, Hog, Loveboat, Ketamine (Special K), PCE, PCPy, TCP</td>
<td>Anesthetic (Ketamine)</td>
<td>Possible</td>
<td>High</td>
<td>Yes</td>
<td>1-12</td>
<td>Smoked, oral, injected, snorted</td>
<td>Muscle aches, drowsiness, depression, acne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Hallucinogens</td>
<td>Substance I</td>
<td>Psilocybe mushrooms, Mescaline, Peyote Cactus, Ayahuasca, DMT, Dextro-methorphan* (DXM)</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Possible</td>
<td>4-8</td>
<td>Oral</td>
<td></td>
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<tr>
<td><strong>Cannabis</strong></td>
<td></td>
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<tr>
<td>Marijuana</td>
<td>Substance I</td>
<td>Pot, Grass, Sinsemilla, Blunts, Mota, Yerba, Grifa</td>
<td>None</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-4</td>
<td>Smoked, oral</td>
<td>Euphoria, relaxed inhibitions, increased appetite, disorientation</td>
<td>Fatigue, paranoia, possible psychosis</td>
<td>Occasional reports of insomnia, hyperactivity, decreased appetite</td>
</tr>
<tr>
<td>Tetrahydrocannabinol</td>
<td>Substance I, Product III</td>
<td>THC, Marinol</td>
<td>Antinauseant, Appetite stimulant</td>
<td>Yes</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-4</td>
<td>Smoked, oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hashish and Hashish Oil</td>
<td>Substance I</td>
<td>Hash, Hash oil</td>
<td>None</td>
<td>Unknown</td>
<td>Moderate</td>
<td>Yes</td>
<td>2-4</td>
<td>Smoked, oral</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Anabolic Steroids</strong></td>
<td></td>
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<tr>
<td>Testosterone</td>
<td>Substance III</td>
<td>Depo Testosterone, Sustanon, Sten, Cyprotol</td>
<td>Hypogonadism</td>
<td>Unknown</td>
<td>Unknown</td>
<td>Unknown</td>
<td>14-28 days</td>
<td>Injected</td>
<td>Virilization, edema, testicular atrophy, gynecomastia, acne, aggressive behavior</td>
<td>Unknown</td>
<td>Possible depression</td>
</tr>
<tr>
<td>Other Anabolic Steroids</td>
<td>Substance III</td>
<td>Parabolan, Winstrol, Equipose, Anadrol, Dianabol, Primabolin-Depo, D-Ball</td>
<td>Anemia, Breast cancer</td>
<td>Unknown</td>
<td>Yes</td>
<td>Unknown</td>
<td>Variable</td>
<td>Oral, injected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Inhalants</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Amyl and Butyl Nitrite</td>
<td></td>
<td>Pearls, Poppers, Rush, Locker Room</td>
<td>Angina (Amyl)</td>
<td>Unknown</td>
<td>Unknown</td>
<td>No</td>
<td>1</td>
<td>Inhaled</td>
<td>Flushing, hypotension, headache</td>
<td>Methemoglobinemia</td>
<td>Agitation</td>
</tr>
<tr>
<td>Nitrous Oxide</td>
<td>Laughing gas, balloons, Whippets</td>
<td>Anesthetic</td>
<td>Unknown</td>
<td>Low</td>
<td>No</td>
<td>0.5</td>
<td>Inhaled</td>
<td>Impaired memory, slurred speech, drunken behavior, slow onset vitamin deficiency, organ damage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Inhalants</td>
<td>Adhesives, spray paint, hair spray, dry cleaning fluid, spot remover, lighter fluid</td>
<td>None</td>
<td>Unknown</td>
<td>High</td>
<td>No</td>
<td>0.5-2</td>
<td>Inhaled</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Alcohol</strong></td>
<td></td>
<td>Beer, wine, liquor</td>
<td>None</td>
<td>High</td>
<td>High</td>
<td>Yes</td>
<td>1-3</td>
<td>Oral</td>
<td></td>
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</tbody>
</table>