

DRUG & ALCOHOL POLICY

HILBERT COLLEGE

HILBERT COLLEGE
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(updated 6/14/10)

DRUG FREE COLLEGE PROGRAM

A. College Drug and Alcohol Policy

As part of its mission and objectives, Hilbert College is committed to providing all students, faculty, and staff with a safe, healthful and pleasant environment in which to study and work. Part of this commitment is that the College will be completely free from the presence and adverse effects of illegal drugs and unauthorized use of alcohol.

This Program was developed to accomplish the above objective and to comply with the College's legal obligation. The Higher Education Amendment of the Drug-Free Schools and Communities Act of 1989 require that all institutions of higher education prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Similarly, the Drug-Free Workplace Act of 1988 requires federal contractors and recipients of federal grants to maintain a drug-free environment. The above laws require that Hilbert College adopt and implement certain mandatory rules of conduct, and strictly enforce these rules by disciplinary measures.

Each student, faculty, and staff member is personally responsible to ensure his or her compliance with all rules, procedures and other requirements that are mandated by the College. The Rules of Conduct and the Student Alcohol and Drug Policy contained in this program are no different in this regard. If any student, faculty, or staff member has a problem with drug or alcohol dependency which could lead to a violation of the Rules of Conduct and result in disciplinary action, he or she must do what is necessary to see that a violation does not occur. If professional treatment or other outside assistance is needed to help resolve the dependency problem, it is the responsibility of the student, faculty, or staff member to obtain such assistance and work toward a successful resolution of the problem. The Counseling Office is available to provide information and confidential, professional referrals to students who conscientiously request such assistance. The Employee Assistance Program is available to members of the faculty and staff who require assistance. If assistance is desired or questions arise concerning any drug or alcohol related matter, contact should be made with the Director of Counseling. Inquiries will be kept confidential.

B. Rules of Conduct and Discipline for Alcohol & Drugs - Students

The following Rules of Conduct constitute conditions of enrollment with the College. All students agree to abide by these rules, and any violations of these rules will be dealt with by whatever disciplinary measures the College deems appropriate, as described below.

1. The unlawful manufacture, distribution, selling, intending to sell, dispensing, possession or use of a controlled substance or illegal drug on College property or as part of any College activity is prohibited.
2. Possession or consumption of beer, wine, liquor or any other form of alcohol on College property unless in accordance with policies pertaining to parties, campus wide events, and residence facilities as stated below. (The rule applies to all students and includes any bottle, can, mug, or any other container used to transport alcohol).
3. Unlawful possession or use of controlled substance or illegal drug.
4. Providing a controlled substance or illegal drug to another person.
5. Possession of paraphernalia for illegal drug production or use.
6. The unlawful or unauthorized consumption of alcoholic beverages on College property or as part of any College activity is prohibited.
7. Public intoxication or drunk and disorderly conduct are prohibited.
8. Giving or selling alcoholic beverages to anyone under the age of 21
9. Giving or selling alcoholic beverages to anyone who is intoxicated.
10. Driving under the influence of any substance while on campus.

11. Violation of federal, state, and local ordinances with respect to possession, purchase, transport, and use of alcohol, controlled substances or illegal drugs.
12. Regulations specifically concerning consumption of alcoholic beverages in residence facilities:
 - a. The consumption of alcohol in residence facilities will be subject to all state and federal laws governing the consumption of alcohol as well as any and all regulations mandated by Hilbert College regarding the use of alcohol.
 - b. No student or guest under the age of 21 should have full or empty beer, wine, or any other alcohol bottles or cans in his/her possession. Residents of legal drinking age will be permitted to consume alcohol ONLY in 21+ student bedrooms or apartments. Alcohol is not permitted to be served while underage people are present in 21+ rooms or apartments. It is considered a violation of our policy if alcohol is consumed by any student or guest, no matter their age, outside of these designated 21+ areas unless at a sanctioned event compliant with the Policy Regarding Alcohol at Campus Events. A designated 21+ area is any room or apartment where all the residents who live there are 21+ years or older. This includes singles, apartments, and double rooms in suites. However, alcohol consumption is still forbidden in common areas of suites, lounges, or any other public area. Alcohol, under no circumstances will be consumed in the proximity of any student or guest under the age of 21 years. If alcohol is found to be consumed in violation of the above rules, all alcohol and empties will be taken and a thorough search for more alcohol will commence immediately by Campus Safety and/or Residence Life Staff.
 - c. **Alcohol will not be permitted in any common area including lobbies, lounges, laundry rooms, or hallways.**
 - d. The amount of alcohol allowed for residents 21 years of age or older for personal consumption will be determined to be a reasonable amount of alcohol as determined by the Campus Safety Officer on Duty, Director of Residence Life, and or their designee. Empty containers must be properly disposed of daily.
 - e. No hard alcohol, beer kegs, and/or beer balls are allowed in any of the residence facilities. Liquor bottles, full or empty, are not allowed in residence facilities. **Open containers are not allowed outside student rooms.**
 - f. Resident students are permitted to have a maximum of 6 people in a room or 10 in an apartment at any given time, including themselves.
 - g. Resident students are responsible for the behavior of their guests and the rules and regulations of the Alcohol and Drug Policy. Resident students are responsible for any damage caused by their guests to their rooms and/or residence facilities. Such guests must follow the rules and regulations of the Alcohol and Drug Policy.
 - h. Students assume responsibility for their behavior regarding use of alcohol in residence facilities. Students, who are in an intoxicated state and if it is deemed necessary to have an ambulance called, will be responsible to pay the full cost associated with the EMS services provided.

The foregoing rules are not exclusive and the College will enforce any other common sense rule or practice that is consistent with the policy expressed in this program.

C. Disciplinary Sanctions and Legal Penalties for Alcohol & Drugs

Hilbert College will impose disciplinary sanctions on students for violations of the Rules of Conduct established by this Program. The College, in its sole discretion, will determine whether a violation has occurred and what the appropriate disciplinary measure will be. Disciplinary sanctions will include, among others, the following:

1. Mandated alcohol and/or drug education workshop
2. Mandated appointment with the college counselor for alcohol assessment/participation in substance abuse

group which may be held on or off campus*

3. Suspension from participating in college activities or functions
4. Suspension from classes
5. Community service
6. College probation, suspension, or dismissal
7. Monetary fines
8. Referral to the proper legal authorities for possible prosecution
9. The college reserves the right of family notification in cases where it is deemed appropriate and beneficial to the student.
10. Suspension of on-campus vehicle privileges.

*Students may be held responsible for any fees, charges and transportation associated with these programs.

For students, you may receive some or all of the sanctions for an alcohol or drug offense as listed in Table 1:

Table 1: These are some examples of sanctions that may be given for alcohol/drug violations. The Student Conduct Administrator has complete discretion as to which sanctions will be applied to a student’s individual case.

Alcohol Violations	Drug Violations
<p>1st Offense consumption/possession:</p> <ul style="list-style-type: none"> • Educational Sanction • Alcohol Education • Community Service • Advisor/Coach Notification 	<p>1st Offense possession/use:</p> <ul style="list-style-type: none"> • Educational Sanction • Community Service • 1 year (calendar) disciplinary probation • Academic Assignment on the Dangers of drug use • Advisor/Coach Notification
<p>2nd Offense consumption/possession:</p> <ul style="list-style-type: none"> • Disciplinary probation (1 semester -1calendar year) • Community Service • Substance abuse screening • Parental Notification 	<p>2nd Offense possession/use:</p> <ul style="list-style-type: none"> • Intervention/education program • 1 week residential/suspension • Community Service • Substance abuse screening • Parental Notification
<p>3rd Offense consumption/possession:</p> <ul style="list-style-type: none"> • 1 semester residential suspension • 1 week-full semester 	<p>3rd Offense possession/use:</p> <ul style="list-style-type: none"> • 1 semester residential & academic suspension • Community Service • Treatment agreement

suspension from activities, etc. <ul style="list-style-type: none"> • Community Service • Reflection paper (1000 words) • Parental Notification 	<ul style="list-style-type: none"> • Parental Notification
Providing Alcohol to Minors: <ul style="list-style-type: none"> • 2 week residential/activity suspension • Community Service • Reflection paper (1000 words) • 1 year (calendar) disciplinary probation • Parental Notification 	Distribution/Sales: <ul style="list-style-type: none"> • Academic/residential dismissal
DUI (no injury/minor property damage): <ul style="list-style-type: none"> • 1 year (calendar) disciplinary probation • Substance abuse assessment • Alcohol sanctions rated at level 3. 	
DUI (with injury/significant damage): <ul style="list-style-type: none"> • Financial restitution • Suspension or dismissal 	

In addition to the disciplinary sanctions that the College will impose on violators of its Rules of Conduct, students should also be aware of the applicable legal sanctions under state and federal law for the unlawful sale or possession or use of illicit drugs and alcohol.

D. Rules of Conduct and Discipline - Employees

Hilbert College expects and demands a drug-free workplace and strictly prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance by any employee while on duty. Employees in violation of this policy will face serious penalties including possible immediate discharge and/or mandatory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

E. Physical Effects of Drugs and Alcohol

All students are encouraged to learn more about the problems of drugs and alcohol including the serious threat these substances pose to health and safety, how to spot the signs of dependency and abuse, and ways of dealing with dependency and abuse. Hopefully, an awareness of these harmful side effects will discourage use of alcohol and drugs and will also help in identifying others who may be users in order that assistance can be offered and obtained.

F. Assistance to Students

Any student, or recovering, student who would like to discuss an alcohol or drug related problem may contact the Director of Counseling. Your discussion will be kept confidential. In addition, any student desiring professional treatment or outside assistance to help resolve a dependency problem may contact any related community organization.

G. Policy Regarding Alcohol at Campus Events

The following outlines the “policy”/procedures for the “serving” of alcohol at “controlled” events on the Hilbert College campus. A “controlled” event is defined as one sponsored by a specific group of faculty/staff for a predetermined amount of time with a predetermined, and self-provided, amount of beer and/or wine. These events must have an approved “party permit” from the Office of Student Life.

In accord with this definition, “serving” will mean the storing of the beer/wine in the food service cooler for up to 24 hours prior to the event and the providing of glasses, ice, and “service/storage” device (e.g., bowl, etc.). The members of the group will, unless otherwise requested, bear total responsibility for the dispensing of the beer/wine among themselves.

A party is defined as a social gathering of 6 or more persons with alcoholic beverages present. An individual or organization wishing to host a party must register the event with the Student Life Office one week prior to the event.

Any event on campus which includes alcohol is subject to the following guidelines:

1. The individual or organization representative registering the party must complete the Party Registration form and have it approved by the appropriate official in the Student Life Office by the end of office hours one week prior to the event.
2. A \$50.00 damage/clean-up deposit payable to the Student Life Office will be required. This deposit is fully refundable provided there are no problems in connection with the party and the area is restored to normal condition.
3. Publicity and advertising for approved events shall avoid any reference (either written or illustrated) to alcoholic beverages or alcohol consumption.
4. The individual(s) or organization(s) registering the party may not sell alcoholic beverages.
5. The individual(s) or organization(s) registering the party is responsible for enforcing all College policies and applicable laws.
6. Adequate amounts of non-alcoholic beverages and food must be prominently available and equally accessible throughout the duration of the event.
7. Visibly intoxicated persons may not be served.
8. Hilbert College Food Service and/or their agents will serve as monitors of identification and servers of alcoholic beverages. No persons other than Hilbert College Food Services and/or their agents will serve in these capacities.
9. Open containers may not leave the designated party area.
10. Visitors to Hilbert College are obligated to follow the rules and regulations of the Alcohol and Drug Policy. Violators may be expelled from Hilbert College property.
11. The number of persons at an event shall not exceed the capacity of the designated area.

12. All parties must have an established ending time to be determined by the Office of Student Life or the applicable state or local law.
13. All trash must be removed from the designated area and adjoining areas, and the area must be restored to its normal condition.
14. In the event damage is done by a guest of those responsible for the party in the designated area or any other area of the campus including the grounds, the responsible party agrees to accept complete financial responsibility.
15. All guests must be properly identified as to age and alcoholic beverages will only be served to those persons appropriately identified and of legal age.
16. In the event that Hilbert College personnel deem that it is necessary to provide additional Hilbert College Campus Safety officers to assist with the event, the individual(s) or organization sponsoring the event will be responsible for this cost.

This policy is in furtherance of the College's policy to provide a campus and workplace free of illicit drugs and unauthorized alcohol. It is also designed to comply with applicable laws. This program may be changed or amended as the College deems appropriate or to comply with any changes in applicable laws.

Note: If alcohol is to be made available for purchase at any event held on Hilbert College, a temporary beer and wine permit must be issued by the New York State Liquor Authority. Applications for the permit are available in the Office of Student Life and require at least 15 business days for processing. There is a charge for this permit which must be paid by the club/organization sponsoring the event.

□ **NEW YORK STATE PENAL LAW**

Article 220 and 221 of the Penal Law are directly aimed at unlawful traffic in mind-affecting drugs. They are compatible with the Public Health Law and provisions of the latter are often cross-referenced in the Penal Law Sections that deal with the different drugs.

Article 220 and 221 set criminal penalties for possession or sale of drugs considered harmful or subject to abuse. The seriousness of the offense and penalty imposed upon conviction depends upon the individual drug and amount held or sold. The table of penalties in this publication was derived from those statutes.

Marijuana has been placed in Article 221 and separately dealt with in the Penal Law, as a result of the Marijuana Reform Act of 1977. That statute made the penalties upon conviction of use of small amounts of marijuana less severe than formerly.

Specific sections of interest in Article 220 not included in the table follow:

Section 220.44- Makes a sale of controlled substance on or near school grounds, to a person less than 19 years of age, a Class B felony.

Section 220.45- Makes criminal possession of a hypodermic instrument a Class A misdemeanor.

Section 220.46- Makes criminal injection of another person with a narcotic drug, with consent of that person, a Class E felony.

Section 220.50- Bans possession or sale of drug paraphernalia; deals with things that dilute drugs,

like dextrose or mannite, and gelatin capsules, plastic envelopes, etc., considered commercial preparation materials (Class A misdemeanor)

Section 220.60- Makes criminal possession of certain “precursors” of controlled substances used in their preparation or manufacture, but not the drugs themselves, a Class E felony (for example, ergot or dissimilate).

It is important to be aware that under the Penal Law, a gift or drugs, including marijuana, is treated as a sale.

New York State Penal Law defines a misdemeanor as a crime punishable by imprisonment for more than 15 days but no more than one year. A felony is a crime punishable by imprisonment for more than one year.

□ **NEW YORK LAW: ILLEGAL SALE OR POSSESSION OF ALCOHOL**

1. Unlawful Dealing with a Child: It is unlawful to give or sell alcohol (or cause it to be given or sold to a person under the age of 21. This is a Class B misdemeanor. The penalty could be up to three months imprisonment and a \$500 fine.
2. DWI: Driving While Intoxicated (by drugs or alcohol) is misdemeanor punishable by up to a year imprisonment and a fine of up to \$500.
3. DWAI: Driving While Ability Impaired by Alcohol is a violation punishable by up to 15 days imprisonment and a fine of up to \$350.
4. Liability of One Serving a Person under Age 21: Anyone who furnishes or assists an intoxicated person to procure alcoholic beverages is liable for any damages caused by that person while under the influence.
5. Dram Shop Liability; Any person who sells alcoholic beverages or unlawfully assists an intoxicated person to procure alcoholic beverages is liable for any damages caused by that person while under the influence.
6. Fraudulent Documents: It is in violation of state law for a person under the age of 21 years to present false evidence of age to procure alcoholic beverages. Possessing such false evidence may also be criminal possession of a forged instrument within the meaning of the penal law. The penalty for suing fraudulent means to obtain alcoholic beverages may include probation up to a year and a fine of up to \$100.

FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL DRUG POSSESSION OF A CONTROLLED SUBSTANCE

21 U.S. C. 844 (a)

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

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2, 500 but not more than \$250,000 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 both not more than \$250,000 or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both if:

- a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- b) 2nd crack conviction and the amount of crack exceeds 3 grams.
- c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

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

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if the offense is punishable by more than 1-year imprisonment. (See special sentencing provisions re: crack)

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

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

21 U.S.C. 884a

Civil fine of up to \$10,000 (pending adoption of final agreement).

21 U.S.C. 853a

Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for the offence, up to 5 years for second and subsequent offences.

18 U.S.C. 922 (g)

Ineligible to receive or purchase a firearm.

Miscellaneous

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

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

DRUG ABUSE HOTLINES- 24 hour service

Anonymous Tip	1-800-GIVE-TIP
Central Referral Services	851-5555
Crisis Services	834-3131
National Institute of Drug Abuse	1-800-662-HELP

MEDICAL EMERGENCY ROOMS- 24 hour service

Alcohol and Drug Dependency Services	854-2997
Children's Hospital	878-7408
Erie County Medical Center (ECMC)	898-3471

INFORMATION/REFERRAL

ALCOHOL

Erie County Council for Prevention of Alcohol & Substance Abuse	831-2298
National Clearing House for Alcohol & Drug Information	1-800-SAY-NO-TO

ASSESSMENT AND OUTPATIENT CARE

Alcohol & Drug Dependency Services/Family Addiction Outreach 460 Main Street, Buffalo, NY 14202	854-2997
Erie County Medical Center -Downtown Clinic 1280 Main Street, Buffalo, NY 14202	883-4517
-Northern Erie Clinical Services 2282 Elmwood Avenue, Kenmore, NY 14217	874-5536
-Southern Erie Clinical Services 4390 Quinby Drive Hamburg, NY 14075	648-3700
Mid-Erie Mental Health 463 William Street-Town Garden Plaza Buffalo, NY 14204	852-0383

BryLin Hospital
*Rush Hall
1263 Delaware Avenue, Buffalo, NY 14209 886-8200

Research Institute on Addictions
1021 Main Street
Buffalo, NY 14203 887-2387

DRUGS

Lakeshore Corp. IV
-Community Concern
6722 Erie Road, Derby, NY 14047 947-5025

-Hamburg Counseling Services
97 S. Buffalo Street, Hamburg 14075 648-0650

Northwest Corp. I

-Kenmore Counseling Center
2495 Elmwood Avenue, Kenmore, NY 14217 877-6763

-Northwest Mental Health Center
1300 Niagara Street, Buffalo, NY 14213 882-5959

Sisters of Charity Hospital (methadone maintenance)
2157 Main Street, Buffalo, NY 14214
Mid-Erie Mental Health Clinic
1520 Walden Avenue, Cheektowaga, NY 14225 895-7206

Outer East Side Mental Health Clinic
1500 Broadway, Buffalo, NY 14212 893-0062

Buffalo Vet Center
2372 Sweet Home Road, Buffalo, NY 14228 862-7350

INPATIENT RESIDENTIAL CARE

Inpatient Residential Services are programs that provide a drug-free residential setting to support voluntary abstinence from alcohol/drugs. The programs provide active clinical treatment and referral to aftercare

services as needed. Length of stay varies with each program.

INPATIENT ONLY

Alcoholism Services of Erie County
291 Elm Street, Buffalo, NY 14203 854-2997

Erie County Medical Center
462 Grider Street, Buffalo, NY 14215
- Alcoholism and Substance Abuse Unit 898-3137

Salvation Army Adult Rehabilitation
1080 Military road, Kenmore, NY 14217 875-2533

Sheehan Memorial Hospital
425 Michigan Avenue, Buffalo, NY 14203 848-2225

Stutzman Alcoholism Treatment Center
360 Forest Avenue, Buffalo, NY 14213 882-4900

ALCOHOL & DRUGS

Buffalo General Hospital
Alcoholism Outpatient Clinic
1010 Main Street, Buffalo, NY 14202 859-4706
Chemical Dependency 859-4772

Catholic Charities of Buffalo
525 Washington Street, Buffalo, NY 14203 856-4494

Hamburg Youth Bureau (Counseling)
Route 20, Hamburg, NY 14075 646-9406

Horizon Human Services
1370 Niagara Falls Boulevard, Tonawanda, NY 14150 833-3713
Lakeshore Corp. IV
Community Counseling
951 Niagara Street, Buffalo, NY 14213 884-0700

Spectrum Human Services
-Orchard Park Chemical Dependency
227 Thorn Avenue, Orchard Park, NY 14127 662-6638

-South Buffalo Counseling Center
2040 Seneca Street, Buffalo, NY 14210 828-0560
-Springville Community Counseling Center
2 Franklin, Springville, NY 14141 592-9301
-New Alternatives
1235 Main Street, Buffalo, NY 14209 884-5797

INPATIENT/OUTPATIENT

BryLin Hospital
-Rush Hall
1263 Delaware Avenue, Buffalo, NY 14209 886-8200

SUPPORT GROUP/SELF-HELP

Adult Children of Alcoholics 831-2298
Alcoholics Anonymous 853-0388
Narcotics Anonymous 878-2316
Al-Anon Family Groups 856-2520

W.N.Y. UNITED AGAINST DRUG & ALCOHOL ABUSE

1170 Niagara Street, Buffalo, NY 14213
Co-chairpersons: Robert E. Rich, Jr. 821-7722
Melinda R. Rich

ADAPTATION OF THE NEW YORK STATE PENAL CODE FOR POSSESSION OF DRUGS

	15 years to life	3 years to life	1 to 25 years	1 to 15 years	1 to 7 years	1 to 4 years	6 months to 1 year-misdemeanor	up to 3 months
FINES	\$100,000	\$50,000	\$30,000	\$15,000				
Controlled Substance Narcotic (mixture) including Cocaine	4 oz or more	2 oz or more	1/2 oz or more or intent to sell	1/8 oz or more	any amount or intent to sell		possession	
Methadone	5760 mg or more	2880 mg or more		360 mg or more				
Methamphetamine (mixtures or compounds)		2 oz	1.8 oz with intent to sell	1/2 oz				
Stimulant		10 g	5 g or 1 g with intent to sell	1 g or more				
LSD		25 mg	5 mg or more or 1 mg with intent to sell	1 mg or more				
Hallucinogen		625 mg	125 mg or 25 mg with intent to sell	25 mg or more				
Hallucinogenic Substance		25 g	5 g or 1 g with intent to sell	1 g or more				
Phencyclidine			1250 mg	50 mg or more w/intent to sell & previous offense or 250 mg	50 mg			
Depressant				2 lbs or more				
Dangerous Depressant				10 oz or more				
Marijuana				1 oz concentrated or > 10 lbs mixtures	1/4 or more concentrated or > 16 oz mix	> 8 oz	> 2 oz	> 25 g
Cocaine-Crack					500 mg or more			

ADAPTATION OF THE NEW YORK STATE PENAL CODE FOR SALE OF DRUGS

	15 years to life	3 years to life	1 to 25 years	1 to 15 years	1 to 7 years	1 to 4 years	6 months to 1 year-misdemeanor	up to 3 months
Narcotics Preparation (mixtures)Compounds including Cocaine	2 oz or more	1/2 oz or more	any amount	any amount	any amount			
Methadone	2880 mg or more	360 mg or more		any amount				
Methamphetamine		1/2 oz	1/8 oz					
Stimulant		5 g	1 g or more					
LSD		5 mg	1 mg or more					

Hallucinogen		125 g or more	25 mg or more					
Hallucinogenic Substance		5 g	1 g or more					
Phencyclidine			250 mg	any amount and previous offense or 50 mg or more				
Depressant				2 lbs or more				
Dangerous Depressant				10 oz or more				
Marijuana				> 16 oz mixtures	> 4 oz. of compounds to those < 18 yrs. Old	> 25 g mixtures	sale of concentrated	> 2 g mixtures

FEDERAL TRAFFICKING PENALTIES				
DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<p>First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual.</p> <p>Second Offense: Not less than 10 yrs., and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual.</p>	5 kgs or more mixture	<p>First Offense: Not less than 10 yrs. and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs. and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment.</p>
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40-399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10-99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100-999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1-9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5-49 gms pure or 50-499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10-99 gms pure or 100-999 gms mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any Amount	<p>First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs., or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	1 gm or more			
Other Schedule III Drugs	Any amount	<p>First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	30 to 999 mgs			

All other Schedule IV Drugs	Any amount	First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	Less than 30 mgs	Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

Federal Trafficking Penalties - Marijuana

Drug	Quantity	1st Offense	2nd Offense
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> * Not less than 10 years, not more than life. * If death or serious injury, not less than 20 years, not more than life. * Fine not more than \$4 million if an individual, \$10 million if other than an individual 	<ul style="list-style-type: none"> * Not less than 20 years, not more than life * If death or serious injury, mandatory life * Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> * Not less than 5 years, not more than 40 years * If death or serious injury, not less than 20 years, not more than life. * Fine not more than \$2 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> * Not less than 10 years, not more than life * If death or serious injury, mandatory life * Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> * Not more than 20 years * If death or serious injury, not less than 20 years, not more than life. * Fine \$1 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> * Not more than 30 years * If death or serious injury, mandatory life * Fine \$2 million if an individual, \$10 million if other than an individual
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> * Not more than 5 years * Fine not more than \$250,000, \$1 million other than individual 	<ul style="list-style-type: none"> * Not more than 10 years * Fine \$500,000 if an individual, \$2 million if other than individual
Hashish	10 kg or less		
Hashish Oil	1kg or less		

Drugs CSA Schedules	Trade or Other Names	Medical Uses	Dependence				Possible Effects	Effects of Overdose	Withdrawal Syndrome	
			Physical	Psychological	Tolerance	Duration (Hours)				Usual Methods of Administration
Narcotics										
Opium, II III V	Dover's Powder, Paregoric, Parapectolin	Analgesic, antidiarrheal	High	High	Yes	3-6	Oral, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphine, II III	Morphine, MS- Contin, Roxanol, Roxanol-SR	Analgesic, antitussive	High	High	Yes	3-6	Oral, smoked, injected			
Codeine, II III V	Tylenol w/codeine, Empirin w/codeine, Robitussin A-C, Fiorinal w/codeine	Analgesic, antitussive	Moderate	Moderate	Yes	3-6	Oral, injected			
Heroin, I	Diacetylmorphine, Horse, Smack	None	High	High	Yes	3-6	Injected, sniffed, smoked			
Hydromorphone, II	Dilaudid	Analgesic	High	High	Yes	3-6	Oral, injected			
Meperidine (Pethidine), II	Demerol, Mepergan	Analgesic	High	High	Yes	3-6	Oral, injected			
Methadone, II	Dolophine, Methadone, Methadose	Analgesic	High	High-Low	Yes	12-24	Oral, injected			
Other Narcotics, I, II, III, IV, V	Numorphan, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Talwin	Analgesic, antidiarrheal, antitussive	High-Low	High-Low	Yes	Variable	Oral, injected			
Depressants										
Chloral Hydrate, IV	Notec	Hypnotic	Moderate	Moderate	Yes	5-8	Oral	Slurred speech, disorientation drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Barbiturates, II, III, IV	Amytal, Butisol, Fiorinal, Lotusate, Nembutal, Seconal, Tuinal, Phenobarbital	Anesthetic, anti-convulsant, sedative, hypnotic, veterinary euthanasia agent	High- Mod.	High-Mod.	Yes	1-16	Oral			
Benzodiazepines, IV	Alivan, Dalmane, Diazepam, Librium Xanax, Valium, Tranxene, Verstran, Versed, Halcion, Paxipam, Restoni	Antianxiety, anticonvulsant, sedative, hypnotic	Low	Low	Yes	4-8	Oral			

Methaqualone, I	Quaalude	Sedative, hypnotic	High	High	Yes	4-8	Oral			
Glutethimide, III	Doriden	Sedative, hypnotic	High	Moderate	Yes	4-8	Oral			
Other Depressants, III, IV	Equanil, Miltown, Noludar, Piacidyl, Valmid	Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	4-8	Oral			
Stimulants										
Cocaine, II	Coke, Flake, Snow, Crack	Local anesthetic	Possible	High	Yes	1-2	Sniffed, smoked, injected,	Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite	Agitation, increase in body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamines, II	Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol	Attention deficit disorders, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected			
Phenmetrazine, II	Preludin	Weight control	Possible	High	Yes	2-4	Oral, injected			
Methylphenidate, II	Ritalin	Attention deficit disorders, narcolepsy	Possible	Moderate	Yes	2-4	Oral, injected			
Other Stimulants, III IV	Adipex, Cylert, Didrex, Ionamin, Melliati, Plegine, Sanorex, Tenuate, Tepanil, Prelu-2	Weight control	Possible	High	Yes	2-4	Oral, injected			
Hallucinogens										
LSD, I	Acid, Microdot	None	None	Unknown	Yes	8-12	Oral	Illusions and hallucinations, poor perception of time and distance	Longer, more intense "trip" episodes, psychosis, possible death	Withdrawal syndrome not reported
Mescaline and Peyote, I	Merc, Buttons, Cactus	None	None	Unknown	Yes	8-12	Oral			
Amphetamine Variants, I	2.5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	None	Unknown	Unknown	Yes	Variable	Oral, injected			
Phencylidine, II	PCP, Angel Dust, Hog	None	Unknown	High	Yes	Days	Smoked, oral, injected			
Phencylidine Analogues, I	PCE, PCPy, TCP	None	Unknown	High	Yes	Days	Smoked, oral, injected			
Other Hallucinogens, I	Bulotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn	None	None	Unknown	Possible	Variable	Smoked, oral, injected, sniffed			
Cannabis										
Marijuana, I	Pot, Acapulco Gold, Grass, Reefer,	None	Unknown	Moderate	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions,	Fatigue, paranoia, possible	Insomnia, hyperactivity, and

	Sinsemilia, Thai Sticks							increased appetite, disoriented behavior	psychosis	decreased appetite occasionally reported
Tetrahydrocannabinol, I, II	THC, Marinol	Cancer chemotherapy anti-nauseant	Unknown	Moderate	Yes	2-4	Smoked, oral			
Hashish, I	Hash	None	Unknown	Moderate	Yes	2-4	Smoked, oral			
Hashish Oil, I	Hash Oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral			
Designated a narcotic under the CSA	Not Designated a narcotic under the CSA									