

Campus Policies:

Alcohol, Tobacco, & other drugs

I. INTRODUCTION

The college's policy prohibiting alcohol abuse, smoking in college buildings and the illegal manufacture, distribution, dispensation, possession, or use of alcohol and illicit drugs is designed to promote both the health and safety of all members of the community and their rights to an environment free from the effects of substance abuse. All students and employees are required to comply with this policy, which is adopted in compliance with the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, and the Drug-Free Schools and Campuses Regulations.

II. GENERAL REGULATIONS RELATING TO THE USE OF ALCOHOL, TOBACCO AND OTHER DRUGS

A. All Goucher faculty, staff and student employees and all Goucher students are prohibited from the abuse of alcohol and the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or illicit drugs on college property or as part of any college activity, whether on or off campus.

B. Each faculty and staff member and student employee is expected to report to work free of the influence of alcohol or illicit drugs and to refrain from the use of alcohol or illicit drugs during the performance of his or her work. Employees who are on call but not physically present on campus should either refrain from the use of alcohol during the on-call period or consume alcohol only in moderate amounts, so that they are capable of performing their job functions if called to the campus for duty.

C. All faculty, staff, and student employees are required to notify the Human Resources

Department of any conviction under a criminal drug statute, no later than five days after such conviction. A conviction includes a finding of guilt, a plea of nolo contendere, and/or the imposition of a sentence by any responsible judicial body. If the individual is supported by a federal grant or contract, the college will notify the supporting government agency within 10 days after receiving notice.

D. Any student who is arrested on or off campus for violation of a criminal drug statute must notify the vice president and dean of students within 48 hours of the arrest.

- E. Although the State of Maryland has decriminalized the possession of marijuana in amounts less than 10 grams and has legalized the use of medical marijuana in certain cases, the possession and use of marijuana on Goucher's campus continues to be prohibited by federal law (the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989). If Goucher College fails to comply with federal law, it could become ineligible for federal funding and financial aid programs for its students. Thus, possession and use of marijuana, including medical use, continue to be prohibited at Goucher College including in college housing, on college property, or at off-campus events sponsored by the college.

III. SMOKING POLICY

Smoking of any kind on Goucher property is prohibited. The purpose of this policy is to (1) promote the health and welfare of community members and visitors by prohibiting smoking and the use of tobacco products, including electronic cigarettes, on the Goucher College campus; (2) enable nonsmokers to breathe smoke-free air, by recognizing that the need to breathe smoke-free air shall have priority over the desire to smoke; and (3) encourage a healthier, more productive living/learning environment for all members of the campus community.

During a transitional period from July 15, 2017 to July 15, 2018, smoking tobacco products and e-cigarettes will be permitted only in designated smoking areas on campus.

For details see: <http://www.goucher.edu/smokefree>.

Hookah Policy

Hookah smoking is permitted on the Goucher College campus in compliance with the following restrictions:

- A. Hookahs must always be smoked outdoors, more than 25 feet from any building. Hookah use is limited to areas within the perimeter of the Loop Road, as a fire safety precaution. Violators of this portion of the policy will be subject to the same penalties as smoking/fire safety violations and violations may also result in confiscation of the hookah.
- B. Hookahs may only contain legal substances. If any college official has reason to suspect the use of an illegal substance, he/she may contact the Office of Public Safety, whose officers are permitted to retrieve a residue sample from the hookah for immediate fieldtesting purposes. If a hookah tests positive for an illegal substance, all smokers will be subject to referral and sanctioning under the illegal drug policy and the hookah may be confiscated.

IV. REGULATIONS RELATING TO ALCOHOLIC BEVERAGES

- A. All members of the Goucher College community are subject to the laws of the state of Maryland. Those laws provide that no individual under the age of 21 may possess alcoholic beverages of any kind and that no individual may sell or furnish alcohol to individuals under the age of 21.
- B. Alcoholic beverages served at campus events are subject to the policies outlined below for student events and non-student events.
- C. No person associated with the college in any capacity—employee, student, or other community member—may serve or furnish alcohol to a person under the age of 21.
- D. Alcoholic beverage consumption by individuals of legal drinking age is permitted in individual rooms in the residence halls, but may not occur in public areas, including but not limited to outdoor areas, hallways, lounges, bathrooms, and common rooms.
- E. For those of legal drinking age, containers of alcoholic beverages larger than three liters, including kegs, are not permitted.
- F. Those who make the decision to drink are accountable for their behavior while under the influence of alcohol on the same basis as if they had not been drinking.
- G. While studying and living in another country, members of the college community are subject to the laws of that country concerning alcoholic beverages. It is the responsibility of each individual to familiarize himself or herself with these laws and to understand the gravity of any violation of local laws, legal requirements, or behavior norms when in another country.

V. ALCOHOL REGULATIONS FOR STUDENT EVENTS

“Student events” are those events that are registered with the Office of Student Engagement or are hosted exclusively for students. All events that are sponsored or organized by student groups must be registered with the Office of Student Engagement.

- A. Beer and wine may be sold at scheduled student events that are registered with the Office of Student Engagement at least three weeks (15 working days) in advance. The sponsoring organization is allowed to charge admission to the event but the organization cannot include the cost of alcohol in the admission price. It is suggested that the organization sell tickets in advance of the event so that the projected attendance is as accurate as possible.
- B. At least one public safety officer or an outside vendor approved by the director of public safety must be hired for an event where alcohol will be

served. If more than 100 attendees are expected, a minimum of two officers is required, with the need for additional officers being determined by the department of public safety. One public safety officer and one faculty/ staff adviser will be responsible for checking identification cards and wrist banding those individuals of legal drinking age. Alcoholic beverages must be dispensed in a separate area that is restricted to individuals who are at least 21 years of age. The wrist band will be punched each time that alcohol is purchased. Beer or wine must be paid for per drink, at cost or above, rather than at discount rates so that the college does not subsidize the cost of the alcohol. Individuals attending the event cannot bring their own alcohol.

- C. A server hired through Campus Dining Services, Office of Student Engagement professional staff or other designee who has completed appropriate training will serve the alcohol. It is the server's responsibility to ensure that underage and visibly intoxicated persons are not served alcohol. The maximum amount of alcohol to be purchased will be determined by the number of people projected to attend and the number of hours for the event. This will be based on no more than one drink per person, per hour for a maximum of four hours. It is the responsibility of the organization sponsoring the event to purchase the alcohol.
- D. At least one executive board member of the organization sponsoring the event must be present at all times during the event. This individual cannot consume alcohol during the event. This/these person(s) will circulate throughout the event to ensure that alcohol is not being consumed by those who are under 21 and that those in attendance are behaving responsibly. Faculty and staff advisers are encouraged to attend the sponsoring organization's events.
- E. The event must have a theme and/or some form of entertainment to serve as its focus. Non-alcoholic beverages and food must be available for the duration of the event.
- F. The director for student engagement or her/his designee will review an organization's request to register an event with alcohol and all plans for the event. The director will have the authority to grant or deny approval for the event based on a variety of criteria including appropriateness of the event, the organization's ability to execute its plans in accordance with college policies, and knowledge of other college events scheduled for the requested time slot. The director will then complete and send a liquor license application to the board of liquor license commissioners for final approval.
- G. The sponsoring organization is responsible for clean-up (removing trash and sweeping, vacuuming, or mopping floors) and for any damages that may be incurred as a result of the event. Violations of the above policies will result in the organization's loss of privileges to hold events at which alcohol is served and may be referred to the Judicial Board as appropriate.

VI. ALCOHOL REGULATIONS FOR NON-STUDENT EVENTS

Any campus event where alcohol will be served to persons 21 and older must be registered with the director of events and conference services. At any such event alcohol shall not be served to persons younger than age 21. The following precautions shall be verified before the commencement of such an event:

- A. A guest policy must be established and publicized.
- B. Food and nonalcoholic beverages must also be served.
- C. The site shall be both clearly defined and physically restricted.
- D. Individuals responsible for the distribution of alcoholic beverages shall not consume alcohol until relieved of duties.
- E. The sponsor of such an event shall be responsible for making certain that these precautions are implemented and for obtaining the liquor license.

From time to time, a campus event at which alcohol is served may occur during working hours (e.g., retirement parties, trustee events, performances). By hosting such events, the college does not condone the use of alcohol by employees during work hours; nevertheless, employees who attend such events are granted a limited exception and permitted to consume alcohol in moderate amounts.

VII. SANCTIONS FOR POLICY VIOLATION

Students who violate this policy are subject to disciplinary action pursuant to the Student Code of Conduct. Violations of this policy will be treated very seriously, and disciplinary action may include disciplinary probation, referral to an appropriate rehabilitation or treatment program, residence hall sanctions, suspension, and/or expulsion. Violations of this policy may also be reported to appropriate law enforcement agencies. Criminal or civil action neither necessitates nor precludes campus action.

In addition, a student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance (a chart of controlled substances is included at the end of this policy) shall not be eligible to receive federal student aid (including any grant, loan, or work assistance) during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of an offense involving the possession of a controlled substance:

Ineligibility period is:

- First offense 1 year
- Second offense 2 years
- Third offense Indefinite

If convicted of an offense involving the sale of a controlled substance:

Ineligibility period is:

- First offense 1 year
- Second offense Indefinite

A student whose eligibility has been suspended may resume eligibility before the end of the ineligibility period if the student satisfactorily completes a drug rehabilitation program that is approved by the U.S. Secretary of Education.

Faculty and staff members and student employees must abide by the terms of this policy as a condition of employment. Employees who violate the policy are subject to disciplinary action, including suspension with or without pay, termination of employment, and referral to governmental authorities for prosecution. Depending upon the circumstances, and at the college's discretion, Goucher College may suspend disciplinary action to allow an employee to participate in drug or alcohol counseling, rehabilitation, and/or an employee assistance program for the purpose of enabling the employee to permanently cease the prohibited conduct. Suspension of disciplinary action will be contingent upon an employee agreeing, in writing, to participate in and complete the college-approved program. Any employee who leaves the program prior to completion or who, after completion, again engages in conduct prohibited by this policy, shall be subject to disciplinary action up to and including termination of employment. In addition, should the college become aware of pre-existing performance problems during the time the employee is participating in the program, the college reserves the right to take disciplinary action against the employee, whether or not the employee completes the program.

VIII. ADVERTISING AND PROMOTION OF ALCOHOL AND TOBACCO ON CAMPUS

- A. The advertising of alcohol or tobacco products shall not be permitted in the college newspaper, on college-sponsored web pages, or on the college radio or television station.
- B. Advertising for student events may not indicate that alcohol will be served at the event, with the exception of senior class "happy hours."
- C. The sale of tobacco products is not permitted on campus, including the bookstore, or in connection with fundraising events at the college.
- D. In limited circumstances, sponsorship of campus events by the alcohol or tobacco industry may be permitted. The vice president and dean of students shall approve all such events.

IX. POLICY DISTRIBUTION

In order to ensure that all community members are apprised of this policy, the following distribution procedures will be followed:

A. For students:

1. At the beginning of each semester and the summer term, a summary of the policy, with a reference to the location of the full policy on the college website will be e-mailed to all official students.
2. The residence life calendar will include the website address for the policy online.
3. The policy will be posted on the college website separately from the campus handbook.
4. Each student, upon enrollment, will be provided with a separate, clear, and conspicuous written notice that advises the student of the suspension of eligibility to receive federal student aid, including grants, loans, or work assistance, for drug-related offenses.

B. For employees:

1. Full-time and part-time staff and full-time and half-time faculty:
 - a. New employees will receive a copy of the policy at their orientation meeting.
 - b. The employee handbooks will include a summary of the policy with a reference to the location of the policy online.
 - c. Every fall semester, employees will receive a one-page summary of the policy, including the website reference, via e-mail.
2. Part-time faculty:
 - a. A summary of the policy with a reference to the website will be given to part-time faculty with their orientation packet every semester.
 - b. An e-mail will be sent to all faculty members at the beginning of every semester with a policy summary and website reference.
3. Welch Center adjunct faculty:
 - a. An e-mail will be sent to all faculty members at the beginning of every semester with a policy summary and website reference.

X. EDUCATION PROGRAMS

In order to encourage the lawful and responsible use of alcohol, the college will provide alcohol education programs. Included in these programs will be information on alcohol, the consequences of the use and abuse of alcoholic beverages and drugs, and information about individual responsibilities and liabilities with respect to alcohol, tobacco and drug use. As part of the mandatory First-year Experience, all first-year students will participate in awareness training that addresses substance use, abuse, and addiction, including training to prevent heroin and opioid use/addiction.

In support of the smoke-free policy, the college will also provide tobacco-cessation programs and education to all students, as well as health information and cessation resources to employees.

XI. COUNSELING SERVICES AND ASSISTANCE PROGRAM REFERRALS

All students are encouraged to participate in the education and training efforts coordinated by various departments, including the Office of Student Engagement, Student Health Center, Student Counseling Center, and Case Management. The college will offer programs designed to promote the identification, treatment, and rehabilitation of students who are experiencing problems related to alcohol, tobacco, and other drugs. The college encourages students who feel they may have an alcohol, tobacco, and/or other drug problem to seek medical help voluntarily.

In addition to contacting private physicians, students may obtain information on the resources available from the director of student health and counseling services. Student health and counseling services personnel are available to help coordinate referrals and treatment programs among students, their health insurance carriers, and other services in the community.

Employees may obtain information on the resources available from the director of human resources. If the employee seeking help is a participant in one of the college-sponsored health plans, the director of human resources may help coordinate the health benefits program with the employee's treatment. In addition to the health plans, the college offers an Employee Assistance Program (EAP) through the Sheppard Pratt Health Plan. All employees and their dependents who reside within their residence, except for part-time faculty and student employees, are eligible to receive benefits through the EAP. The employees need not be enrolled in one of the college's medical plans to use the EAP. Referrals may be made as well to other rehabilitation programs and services in the community.

XII. BIENNIAL REVIEW

In accordance with federal law, the college will conduct a biennial review of its alcohol and other drug program in even-numbered years to determine its effectiveness and the consistency of enforcement, and to identify and implement any necessary changes to the program.

XIII. HEALTH RISKS OF ALCOHOL, TOBACCO, AND SUBSTANCE ABUSE

Students and employees who abuse substances endanger the safety of the other members of the community and place themselves at risk. Substance abuse increases the likelihood of impaired learning, violence, injuries, accidents, acquaintance rape, unwanted pregnancies, and sexually transmitted diseases. Proven risks associated with controlled substances include the following:

A. Alcohol

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 may cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce these effects. 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 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.

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children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

B. Cannabis (marijuana, tetrahydrocannabinol or THC, hashish, hashish oil)

All forms of cannabis have negative physical and mental effects. Several regularly observed physical effects of cannabis are increase in heart rate, bloodshot eyes, dry mouth and throat, and hunger.

Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research shows that knowledge retention may be lower when information is given while the person is “high.” Motivation and cognition are altered, making the acquisition of new information difficult. Cannabis can also produce paranoia and psychosis. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and respiratory system. The tar in marijuana smoke is highly irritating and carcinogenic. Long-term users may develop psychological dependence and tolerance.

C. Inhalants (nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons or aerosol sprays, hydrocarbons or solvents)

A variety of psychoactive substances have been inhaled as gases or volatile liquids. Many popular commercial preparations, such as paint thinners and cleaning fluids, are mixtures of volatile substances, making it difficult to be specific about their various effects. There is no single “inhalant syndrome.”

Immediate negative effects of inhalants may include nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays may also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces.

Long-term use can cause weight loss, fatigue, electrolyte imbalance, or muscle weakness, or may result in hepatitis or brain damage. Repeated sniffing of concentrated vapors over time can lead to permanent damage of the nervous system.

D. Cocaine (cocaine or crack) and Other Stimulants (amphetamines, methamphetamines, others)

Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils, elevated blood pressure, increased heart rate, and elevated body temperature. Occasional use can cause stuffy or runny nose. Chronic use can cause ulceration of the mucous membrane in the nose. Injecting cocaine with unsterile equipment can transmit AIDS, hepatitis, and other infections. Preparation of freebase, which involves the use of highly volatile

solvents, can result in fire or explosion. Cocaine can produce psychological dependency—a feeling that the user cannot function without the drug.

Crack or freebase rock, a concentrated form of cocaine, is extremely potent. Its effects are felt within 10 seconds of administration. Physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures.

Cocaine may lead to death through disruption of the brain’s control of heart function and respiration.

Other stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may perspire, or experience headaches, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure.

In addition to the physical effects, users report feeling restless, anxious, and moody. Higher doses intensify the effects. People who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions, and paranoia. These symptoms usually disappear when drug use ceases.

E. Depressants (barbiturates, methaqualone, tranquilizers)

The effects of depressants are similar to those of alcohol in many ways. Small amounts can produce calmness and relaxed muscles, but larger doses can cause slurred speech, staggering gait, and altered perception. Very large doses can cause respiratory depression, coma, and death. The combination of depressants and alcohol can increase the effects of the drugs, thereby multiplying the risks.

The use of depressants can cause both physical and psychological dependence. Regular use over time may result in tolerance to the drug, leading the user to increase the quantity consumed. When regular users stop taking depressant drugs, they may develop withdrawal symptoms ranging from restlessness, insomnia, and anxiety to convulsions and death.

F. Designer Drugs (synthetic heroin, MPTP, MPPP, MDMA or ecstasy, STP, PCE, others)

Designer drugs are created, often for illegal street use, by modification of the chemical structure of an existing drug. They are also known as "club drugs" because they are often used in dance clubs or raves. The new drugs, called “analogs,” can be several hundred times stronger than the drugs they are designed to imitate. The narcotic analogs can cause symptoms such as those seen in Parkinson’s disease—uncontrollable tremors, drooling, impaired

speech, paralysis, and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or perspiration, and faintness. Psychological effects include anxiety, depression, and paranoia. As little as one dose can cause brain damage. The analogs of hallucinogens cause hallucinations and impaired perception.

G. Hallucinogens (PCP, LSD, mescaline, peyote, psilocybin)

PCP (phencyclidine) produces behavioral alterations that are multiple and dramatic. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries. The effects of PCP vary, but users generally report a sense of distance and space estrangement. Time and body movement are slowed. Muscular coordination worsens, and senses are dulled. Speech is blocked and incoherent.

Chronic users of PCP report persistent memory problems and speech difficulties.

Mood disorders—depression, anxiety, and violent behavior—also occur. In later stages, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses of PCP may produce convulsions, coma, heart and lung failure, or ruptured blood vessels in the brain.

LSD (lysergic acid diethylamide), mescaline, and psilocybin (magic mushrooms) cause hallucinations. The physical effects may include dizziness, weakness, tremor, nausea, and drowsiness. Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline, and psilocybin. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even after the use has ceased.

H. Narcotics (heroin, methadone, codeine, morphine, opium, others)

Narcotics initially produce a feeling of euphoria followed by drowsiness, nausea, and vomiting. Users may experience constricted pupils, watery eyes, and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and death.

Tolerance to narcotics develops rapidly, and dependence is likely. The use of unsterilized syringes may result in transmission of diseases, such as AIDS, endocarditis, and hepatitis.

I. Prescription Drugs (from the Office of National Drug Control Policy)

Abuse of prescription drugs to get high has become increasingly prevalent among teens and young adults. In 2007, abuse of prescription pain killers ranked second—only behind use of marijuana—as the nation's most prevalent illegal drug problem. While overall youth drug use is down by 23 percent since 2001, approximately 6.4 million Americans report non-medical

use of prescription drugs. New abusers of prescription drugs have caught up with the number of new users of marijuana. Much of this abuse appears to be fueled by the relative ease of access to prescription drugs. Approximately 60 percent of people who abuse prescription pain killers indicate that they got their prescription drugs from a friend or relative for free.

Three classes of prescription drugs are most commonly abused:

1. opioids such as codeine, oxycodone, and morphine
 2. central nervous system (CNS) depressants such as barbiturates and benzodiazepines
 3. stimulants such as dextroamphetamine and methylphenidate
- J. Tobacco products (from National Cancer Institute's and American Cancer Society's websites)

Tobacco use, particularly cigarette smoking, is the single most preventable cause of death in the United States. Cigarette smoking alone is directly responsible for approximately 30 percent of all cancer deaths annually in the United States. Cigarette smoking also causes chronic lung disease (emphysema and chronic bronchitis), cardiovascular disease, stroke, and cataracts. Smoking during pregnancy can cause stillbirth, low birthweight, Sudden Infant Death Syndromes (SIDS), and other serious pregnancy complications. Quitting smoking greatly reduces a person's risk of developing the diseases mentioned, and can limit adverse health effects on a developing child.

Exposure to secondhand smoke, or environmental tobacco smoke (ETS), significantly increases the risk of lung cancer and heart disease in nonsmokers, as well as several respiratory illnesses in young children.

Cigarette smoke contains about 4,000 chemical agents, including more than 60 carcinogens. In addition, many of these substances, such as carbon monoxide, tar, arsenic, and lead, are poisonous and toxic to the human body. Nicotine is a drug that is naturally present in the tobacco plant and is primarily responsible for a person's addiction to tobacco products, including cigarettes. During smoking, nicotine is absorbed quickly into the bloodstream and travels to the brain in a matter of seconds. Nicotine causes addiction to cigarettes and other tobacco products that is similar to the addiction produced by using heroin and cocaine.

People who use spit tobacco and other types of smokeless tobacco greatly increase their risk of cancers including those of the pharynx (throat). Other effects of spit tobacco use include chronic bad breath, stained teeth and fillings, gum disease, tooth decay, tooth loss, tooth abrasion, and loss of bone in the jaw. Users may also have problems with high blood pressure and may be at increased risk for heart disease.

XIV. LEGAL SANCTIONS UNDER FEDERAL, STATE AND LOCAL LAWS

Violations of local, state, and federal laws that govern the manufacture, distribution, dispensation, possession, and use of controlled substances can subject individuals to fines up to \$250,000 and jail terms of as much as 20 years.

A. State Penalties and Sanctions Relating to Alcoholic Beverages and Controlled Substances

Individuals age 21 and older who serve alcoholic beverages to individuals under the age of 21 and individuals who make misrepresentations of age to induce the sale of alcoholic beverages, are subject to fines of up to \$2,500 under Maryland state law. See Maryland Annotated Code, Criminal Law, Title 10.

Conviction by a Maryland court of driving while intoxicated or under the influence of an illegally used dangerous controlled substance will result in the automatic revocation of the guilty person's driver's license, plus a possible fine and imprisonment. In all cases, exact legal sanctions depend on the circumstances of the criminal act(s) and the substances involved. See Maryland Annotated Code, Transportation, Sections 16-205; 27-101.

A person may not drink any alcoholic beverage while on public property unless authorized by a governmental entity that has jurisdiction over the property, or the mall, adjacent parking area, or other outside area of a privately owned retail establishment, such as a shopping center, or in any parked vehicle located on any of these places, unless authorized by the owner of the establishment. Maryland Annotated Code, Article 2B, Section 19-202.

A person may not possess any open container of alcoholic beverage while on the mall, adjacent parking area, or other outside area of a privately owned retail establishment, such as a shopping center, or in any parked vehicle located on any of these places, unless authorized by the owner of the establishment. Maryland Annotated Code, Article 2B, Section 19-301.

A person may not possess or administer to another a controlled dangerous substance or manufacture, distribute, or dispense a controlled dangerous substance. Maryland Annotated Code, Criminal Law, Title 5, Subtitle 6 (See Maryland Annotated Code,

Criminal Law, Title 5, Subtitle 4, for a list of controlled dangerous substances).

Depending on the substance, an offender is subject to imprisonment up to 10 years and/or a fine up to \$100,000. Repeat offense may result in harsher penalties.

Maryland Annotated Code, Criminal Law, Title 5, Subtitle 6.

B. Federal Sanctions Relating to Illegal Possession of a Controlled Substance¹

1. Criminal Penalties

- a. 1st conviction—up to 1 year prison term, \$1,000–\$100,000 fine
- b. 2nd conviction—minimum 15 days prison term, maximum 2 years prison term, \$2,500–\$250,000 fine
- c. 3rd + conviction—minimum 90 days prison term, maximum 3 years prison term, \$5,000–\$250,000 fine

2. Separate Criminal Penalties for Crack Cocaine

Minimum five years prison term, maximum 20 years prison term, \$1,000–\$250,000 fine if:

- 1st conviction and over 5 gm possessed, or
- 2nd conviction and over 3 gm possessed, or
- 3rd + conviction and over 1 gm possessed

3. Forfeiture of Property

Vehicles, boats, aircraft, or other conveyances used to transport or conceal a controlled substance may be seized and forfeited. Any personal or real property used to possess or facilitate possession of a controlled substance may be forfeited, where the offense is punishable by more than one year minimum prison.

4. Civil Fine of up to \$10,000

5. Loss of Federal Benefits

Federal benefits such as student loans, grants, contracts, and professional and commercial licenses may be denied for up to one year for 1st offense, and up to five years for 2nd and subsequent offenses. Certain other federal licenses and benefits such as pilot licenses, public housing tenancy, etc., may be denied at the discretion of the applicable federal agency.

In addition, individuals studying and living in another country are subject to the laws of that country regulating the use of controlled substances.

C. Federal Legal Sanctions Relating to Illegal Trafficking in Controlled Substances.

See chart on next pages.

¹ Penalties for distribution of controlled substances are described in part C.

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	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. 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.	Cocaine 5 kilograms or more mixture	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. 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. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl ² 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue ³ 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

Source: <http://www.justice.gov/dea/druginfo/ftp3.shtml>

² Fentanyl is a synthetic opiate analgesic similar to but more potent than morphine. In its prescription form, fentanyl is known as Actiq, Duragesic, and Sublimaze.

³ Fentanyl analogs are pharmacologically similar to heroin and morphine. Street names for the drug include Apache, China girl, China white, dance fever, friend, goodfella, jackpot, murder 8, TNT, as well as Tango and Cash.

Substance/Quantity	Penalty
Any Amount Of Other Schedule I & II Substances	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.
Any Drug Product Containing Gamma Hydroxybutyric Acid ⁴	
Flunitrazepam ⁵ (Schedule IV) 1 Gram	Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Any Amount Of Other Schedule III Drugs	First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more 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.
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
Any Amount Of All Schedule V Drugs	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 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

⁴ Gamma Hydroxybutyric Acid has street names of Liquid Ecstasy, Scoop, Easy Lay, Georgia Home Boy, Grievous Bodily Harm, Liquid X, and Goop. It is associated with sexual assaults.

⁵ Flunitrazepam is also known as Rohypnol. Street names include R-2, Mexican Valium, rophies, roofies, and circles. It is associated with sexual assaults.

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	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 other than an individual. 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.
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	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 other than an individual. 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, \$50million if other than an individual.
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	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 other than an individual. 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.
Hashish More than 10 kilograms	
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual. Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

D. Commonly Abused Drugs – see link below

<http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs/commonly-abused-drugs-chart>