

## DRUG-FREE COLLEGE INFORMATION

### FEDERAL AND STATE LEGAL SANCTIONS REGARDING CONTROLLED SUBSTANCES

#### Minnesota Alcohol Violation Sanctions

- It is illegal to drive, operate, or be in physical control of a motor vehicle while under the influence of alcohol and/or a controlled or hazardous substance, or with a “blood-alcohol concentration” of 0.08 or more. Motor vehicles include cars, boats, snowmobiles, ATVs, planes, etc. “Operate” or “in physical control” includes starting the motor, steering, or being in position to control a vehicle, including simply sitting or sleeping in a parked vehicle.

#### PENALTY:

*First offense (including juvenile convictions):* misdemeanor-fine up to \$700, jail up to 90 days, driver’s license revocation of at least 30 days.

*Second offense within 5 years or 2 or more convictions within 10 years:* gross misdemeanor-fine up to \$3,000, jail up to one year, driver’s license revocation of at least 30-90 days and possible chemical dependency treatment.

*Third or more offenses:* longer periods of revocation.

- Minors in possession or consumption:  
Persons *under 21 years of age* consuming or possessing alcoholic beverages with intent to consume, unless the person is in a parent or guardian’s home and drinks with their permission. Possession anywhere other than a parent or guardian’s home is prima facie evidence of intent to consume.

#### PENALTY: Misdemeanor

- Selling, bartering, furnishing, or giving alcoholic beverages to a person, under 21 years old (except parents in their home).

PENALTY: Gross misdemeanor. Possible civil liability for damages caused by the person under 21 while under the influence.

- Anyone under 21 years of age who purchases or attempts to purchase an alcoholic beverage, or claiming to be 21 or older for the purpose of purchasing alcoholic beverages.

PENALTY: Misdemeanor. Driver’s license suspension of 90 days if a driver’s license, permit, or MN identification is used in making or attempting the purchase.

- Including a person under 21 years to purchase or procure, alcoholic beverages or lending to or permitting use of identification by a person under the age of 21 for the purpose of purchasing or attempting to purchase alcoholic beverages.

PENALTY: Gross misdemeanor. Driver’s license suspension of 90 days if a driver’s license is lent.

NOTE: Penalties can change with each legislative session. Municipalities and counties may also have ordinances that regulate gatherings and have specific penalties for violation.

## **Minnesota Drug Sanctions Schedule Drugs (I-V)**

- I. Heroin, LSD, mescaline and peyote, amphetamine variants, marijuana, other hallucinogens.
- II. Opium, morphine, codeine, methadone, cocaine, barbiturates.
- III. Anabolic steroids, opium, codeine, methadone, cocaine, barbiturates.
- IV. Barbiturates, benzodiazepines, chloral hydrates, other narcotics, stimulants and depressants.
- V. Opium, codeine, other narcotics and depressants.

### **First Degree**

- Sale:** 10+ grams of cocaine, 50+ grams of other narcotic drug, 200+ doses hallucinogen, 50 kilos marijuana, or 25+ kilos marijuana in a school zone, park zone, or public housing zone.
- Possession:** 25+ grams cocaine, 500+ grams of other narcotic drug, 500+ doses hallucinogen, 100+ kilos marijuana.
- PENALTY:** 0 to 40 years, 4 year mandatory minimum if prior drug felony; up to \$1 million fine, 0 to 40 years, 2nd offense.

### **Second Degree**

- Sale:** 3+ grams of cocaine, 10+ grams of other narcotic drug, 50+ doses hallucinogen, 25 kilos marijuana, or sale of a Schedule I or II narcotic drug of 5+ doses hallucinogen or methamphetamine either to a person under 18 or in a school zone, park zone, or public housing zone.
- Possession:** 6+ grams cocaine, 50+ grams of other narcotic drug, 100+ doses hallucinogen, 50+ kilos marijuana.
- PENALTY:** 0 to 40 years, 3 year mandatory minimum if prior drug felony; up to \$500,000 fine.

### **Third Degree**

- Sale:** Narcotic drug: 10+ doses hallucinogen, 5+ kilos marijuana, or sale of a Schedule I, II, or III (except a Schedule I or II narcotic drug or marijuana) to a person under 18 or employment of person under 18 to sell the same.
- Possession:** 3+ grams cocaine, 10+ grams of other narcotic drug, 10+ kilos marijuana, and any amount of a Schedule I or II narcotic drug or LSD or methamphetamine or 5+ kilos marijuana in a school zone, park zone, or public housing zone.
- PENALTY:** 0 to 30 years, 2 year mandatory minimum if prior drug felony; up to \$250,000 fine, 0 to 30 years, 2nd or subsequent offense.

### **Fourth Degree**

- Sale:** Any Schedule I, II, or III drug (except marijuana), or sale of marijuana in a school zone, park zone, or public housing zone or any Schedule IV or V drug to a person under 18 or conspiracy for the same.
- Possession:** 10 doses hallucinogen, any amount of a Schedule I, II, or III drug (except marijuana) with intent to sell it.
- PENALTY:** 0 to 30 years, 1 year mandatory minimum if prior drug felony; up to \$100,000 fine.

### **Fifth Degree**

- Sale:** Marijuana, or any Schedule IV drug.
- Possession:** All Schedule I, II, III, or IV drugs except 42.5 grams or less of marijuana. Any prescription drugs obtained through false pretenses or forgery.
- PENALTY:** 0 to 5 years, 6 months mandatory minimum if prior drug felony; up to \$10,000 fine.

### **Small Amounts of Marijuana**

- For the Possession of up to 1.4 grams of marijuana the person is guilty of a petty misdemeanor including a fine of \$200 and required attendance at an approved drug education program.
- Second conviction of possession of a small amount of marijuana results in a misdemeanor and possible drug treatment. Possession of 1.4 grams or less of marijuana in an automobile is a misdemeanor.

### **Federal Controlled Substance Sanctions**

**Schedule I Drugs** (Penalty for possession): First Offense: 0 years to life, 10 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$4 million fine individual, \$10 million other than individual. Second Offense: 0 years to life, 20 year mandatory minimum; if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.

**Schedule II Drugs** (Penalty for possession): First Offense: 5 years to 40 years, 5 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$2 million fine individual, \$5 million other than individual. Second Offense: 0 years to life, 10 year mandatory minimum; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

**Schedule I or II Controlled Drugs** (Penalty for possession): First Offense: 0 to 20 years; if death or serious injury, 20 year minimum, not more than life; up to \$1 million fine individual, \$5 million other than individual. Second Offense: 0 to 30 years; if death or serious injury, not less than life; up to \$2 million fine individual, \$10 million other than individual.

**Schedule III Drugs** (Penalty for possession): First Offense: 0 to 5 years, up to \$250,000 fine individual, \$1 million other than individual. Second Offense: 0 to 10 years; up to \$500,000 fine individual, \$2 million other than individual.

**Schedule IV Drugs** (Penalty for possession): First Offense: 0 to 3 years; up to \$250,000 fine individual, \$1 million other than individual. Second Offense: 0 to 6 years; up to \$500,000 fine individual, \$2 million other than individual.

**Schedule V drugs** (Penalty for possession): First Offense: 0 to 1 year; up to \$100,000 fine individual, \$250,000 other than individual. Second Offense: 0 to 2 years; up to \$200,000 fine individual, \$500,000 other than individual.

### **Miscellaneous Penalties**

- *21 U.S.C 853(a)(2) and 881(a)(7)*: Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment.
- *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 844(a)*: Civil fine of up to \$10,000(pending adoption of final regulations).
- *21 U.S.C. 853(a)*: Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses up to one year for first offense, up to five years for second and subsequent offenses.
- *18U.S.C. 922(g)*Ineligible to receive or purchase a firearm.

### **HEALTH RISKS ASSOCIATED WITH SUBSTANCE ABUSE**

Substance abuse can cause extremely serious health and behavioral problems, including short- and long-term effects upon the body and mind. The physiological and psychological responses differ according to

the chemical ingested, and although chronic health problems are associated with long-term substance abuse, acute and traumatic reactions can occur from one-time and moderate use.

Alcohol and drugs are toxic to the body's systems. Contaminant poisonings often occur with illegal drug use, and mixing drugs, or using "counterfeit substances," can also be lethal. Human Immunodeficiency Virus (HIV or AIDS), sexually transmitted diseases, rape, unwanted pregnancies, injuries, accidents, and violence can result from alcohol abuse or drug use. In addition, substance abuse impairs learning ability and performance. Acute health problems may include heart attack, stroke, and sudden death, which in the case of drugs such as cocaine, can be triggered by first-time use. Long-lasting health effects of drugs and alcohol may include disruption of normal heart rhythm, high blood pressure, leaks of blood vessels in the brain, bleeding and destruction of brain cells and permanent memory loss, infertility, impotency, immune system impairment, kidney failure, cirrhosis of the liver, and pulmonary (lung) damage. Drug use during pregnancy may result in miscarriage, fetal damage, and birth defect causing hyperactivity, neurological abnormalities, developmental difficulties, and infant death.

**Alcohol:** Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

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

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

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

**Methamphetamines:** Methamphetamines are addictive and users can develop a tolerance quickly, so will need more and more to get the same effect. There are many health risks from taking this type of drug. While on the drug the user may become tense and anxious and it can leave them feeling depressed, paranoid and tired for days after. Methamphetamine can also cause violent mood swings and users can become very aggressive. Long-term use can cause paranoia, hallucinations, mental illness, respiratory problems and will put a strain on the heart, due to increased blood pressure.

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

**Heroin:** Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

## **EDUCATION AND PREVENTION SERVICES AND PROGRAMS**

### **Alcohol and Other Drugs**

Primary prevention efforts will be to provide students with appropriate information and developmental experience necessary to make responsible decisions regarding alcohol and illicit drug use and non-use. Prevention efforts shall address legal, social, and health consequences and that use of illicit drugs and unlawful possession and use of alcohol is wrong and harmful. See the campus counselor for information and assistance. Prevention efforts will include:

- Early identification and intervention efforts providing assistance to students demonstrating behaviors of concern.
- Crisis intervention procedures for students experiencing medical emergencies.
- Re-entry to the college support services for students after completing therapy for drug or alcohol problems.

### **Community Resources**

Center City, MN Hazelden Foundation (651) 213-4200

Crookston, MN Glenmore Recovery Center (218) 281-9511

Crookston, MN Migrant Chemical Health Program (218) 281-7442

East Grand Forks, MN Douglas Place (218) 793-0420

Grand Forks, ND Altru Health Systems (701) 780-3440

Thief River Falls, MN Glenmore Recovery Center (218) 681-8019

Thief River Falls, MN Merit Care-Northwest Campus (218) 681-4240

Thief River Falls, MN Merit Care-Southeast Campus (218) 681-4747

Thief River Falls, MN Northwest Recovery (218) 681-6561

### **Alcoholics Anonymous**

Crookston (218) 779-3600

Grand Forks/East Grand Forks (701) 772-2952 or (218) 779-3600 (24 hrs)

Thief River Falls (218) 681-1469

## **DISCIPLINARY SANCTIONS**

Northland Community and Technical College will impose disciplinary sanctions on students and employees (consistent with local, state, and federal law), up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct stated above. Student violations of this policy will be handled as violations of the Student Code of Conduct.