

# Drug & Alcohol Abuse Prevention Program

Last Updated: March 7<sup>th</sup>, 2023

## **Biennial Review**

*John Paul the Great Catholic University will conduct a biennial review of its drug and alcohol prevention program. The purpose of the review will be to evaluate the content, accuracy and effectiveness of the materials. The next scheduled review is March 2025.*



**JOHN PAUL  
THE GREAT**  
CATHOLIC UNIVERSITY

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# University Policies

## University Policy on the Possession, Use & Distribution of Alcohol & Drugs

It is the policy of John Paul the Great Catholic University that all employees and students are prohibited from participating in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance or alcohol on the premises of the University or at any school-related activity.

Any employee doing so will be subject to action up to and including termination of employment. These employees will be subject to referral for prosecution. Any student doing so will be subject to action up to and including permanent dismissal from the University. These students will also be subject to referral for prosecution.

### JPCatholic—A Drug-Free Workplace

The Drug-Free Workplace Act of 1988 statute requires all grantees receiving grants from any federal agency to certify to the agency that they will maintain a drug-free workplace. For purposes of the Act, allocations under programs such as Perkins Loans, University Work Study and Supplemental Educational Opportunity Grant (SEOG) Program are deemed to be "grants"; and institutions receiving these allocations are deemed to be "grantees". This Act directly affects the federal allocations for JP Catholic University. To comply with the Drug-Free Workplace Act, JP Catholic University must periodically certify that it will provide a drug-free workplace and must notify its employees of that fact.

This policy then serves to notify all employees that JP Catholic University is committed to providing a safe, efficient, productive, and drug-free work environment. In keeping with this commitment, the University strongly maintains that the effect of drug and alcohol dependency on safety, work quality, increased medical expenses, and lost productivity requires this and other policies regarding the inappropriate use and possession of drugs and alcohol.

Employees who have work activities that are funded by federal grants are required by the government to notify the University of any criminal drug statute violations occurring in the workplace no later than five (5) days after such conviction. The University in turn must take appropriate disciplinary action to remedy the offense and notify the federal government of any conviction within ten (10) days of receipt of such information.

The use, manufacture, possession, sale, transfer, offering or furnishing of illegal drugs or illegal use of other controlled substances, as defined under state and federal law, while on duty is prohibited. Reporting for work, returning to work, being or remaining at work while under the influence of alcohol, illegal or un-prescribed drugs or any other controlled substance, or being incapable of safely and/or efficiently performing the job because of drug or alcohol use is prohibited. Employees are prohibited from reporting or returning to work if they may test positive with detectable limits for any illegal or un-prescribed controlled substance. Employees whose behavior is suspicious or who appear to be under the influence may be asked to leave University property and may further be required to submit to a drug and/or alcohol screen before being allowed to return to work.

### Possession and Use of Alcohol & Drugs in the Student Code of Conduct

The use, possession, or distribution of alcohol, drugs, narcotics or other controlled substances is not allowed on or off campus, with the limited exception that students who are 21 or over may consume alcohol at the Chesterton common room between 5:00PM and 10:00PM.

The University adopts a zero tolerance regarding drugs, meaning that if a student is caught with drugs they will be immediately sent to a disciplinary board. The expected outcome is expulsion.

It is prohibited for students to exhibit behavior consistent with intoxication.

# The Effects of Alcohol on the Human Body

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 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 can cause respiratory depression and even death. If combined with other depressants of the central nervous system, several doses of alcohol will produce the effects described above.

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

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

## Alcohol's Properties<sup>1</sup>

Alcohol is a general term denoting a family of organic chemicals with common properties. Members of this family include ethanol, methanol, isopropanol, and others. This introduction discusses the physical, chemical, and physiological aspects of the most commonly ingested of these - ethanol.

Alcohol (ethanol) is a clear, volatile liquid that burns (oxidizes) easily. It has a slight, characteristic odor and is very soluble in water. Alcohol is an organic compound composed of carbon, oxygen, and hydrogen; its chemical formula is  $C_2H_5OH$ .

Alcohol is a central nervous system depressant and it is the central nervous system which is the bodily system that is most severely affected by alcohol (see chart below). The degree to which the central nervous system function is impaired is directly proportional to the concentration of alcohol in the blood<sup>2</sup>.

When ingested, alcohol passes from the stomach into the small intestine, where it is rapidly absorbed into the blood and distributed throughout the body. Because it is distributed so quickly and thoroughly the alcohol can affect the central nervous system even in small concentrations. In low concentrations, alcohol reduces inhibitions. As blood alcohol concentration increases, a person's response to stimuli decreases markedly, speech becomes slurred, and he or she becomes unsteady and has trouble walking. With very high concentrations - greater than

0.35 grams/100 milliliters of blood (equivalent to 0.35 grams/210 liters of breath) - a person can become comatose and die. The American Medical Association has defined the blood alcohol concentration level of impairment for all people to be 0.04 grams/100 milliliters of blood (equivalent to .04 grams/210 liters of breath). The following is a generally accepted guide to the effects of alcohol.

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<sup>1</sup> Information from <http://www.intox.com/t-Physiology.aspx>

# Stages of Alcoholic Intoxication

BAC (g/100 ml of blood or g/210 l of breath)	Stage	Clinical Symptoms
0.01–0.05	Subclinical	<ul style="list-style-type: none"> <li>• Behavior nearly normal by ordinary observation</li> </ul>
0.03–0.12	Euphoria	<ul style="list-style-type: none"> <li>• Mild euphoria, sociability, talkativeness</li> <li>• Increased self-confidence; decreased inhibitions</li> <li>• Diminution of attention, judgment and control</li> <li>• Beginning of sensory-motor impairment</li> <li>• Loss of efficiency in finer performance tests</li> </ul>
0.09–0.25	Excitement	<ul style="list-style-type: none"> <li>• Emotional instability; loss of critical judgment</li> <li>• Impairment of perception, memory and comprehension</li> <li>• Decreased sensory response; increased reaction time</li> <li>• Reduced visual acuity; peripheral vision and glare recovery</li> <li>• Sensory-motor incoordination; impaired balance</li> <li>• Drowsiness</li> </ul>
0.18–0.30	Confusion	<ul style="list-style-type: none"> <li>• Disorientation, mental confusion; dizziness</li> <li>• Exaggerated emotional states</li> <li>• Disturbances of vision and of perception of color, form, motion and dimensions</li> <li>• Increased pain threshold</li> <li>• Increased muscular incoordination; staggering gait; slurred speech</li> <li>• Apathy, lethargy</li> </ul>
0.25–0.40	Stupor	<ul style="list-style-type: none"> <li>• General inertia; approaching loss of motor functions</li> <li>• Markedly decreased response to stimuli</li> <li>• Marked muscular incoordination; inability to stand or walk</li> <li>• Vomiting; incontinence</li> <li>• Impaired consciousness; sleep or stupor</li> </ul>
0.35–0.50	Coma	<ul style="list-style-type: none"> <li>• Complete unconsciousness</li> <li>• Depressed or abolished reflexes</li> <li>• Subnormal body temperature</li> <li>• Incontinence</li> <li>• Impairment of circulation and respiration</li> <li>• Possible death</li> </ul>
0.45 +	Death	<ul style="list-style-type: none"> <li>• Death from respiratory arrest</li> </ul>

## **Alcohol Absorption<sup>2</sup>**

Alcohol is absorbed from all parts of the gastrointestinal tract largely by simple diffusion into the blood. However the small intestine is by far the most efficient region of the gastrointestinal tract for alcohol absorption because of its very large surface area. In a fasting individual, it is generally agreed that 10% to 20% of a dose of alcohol is absorbed from the stomach (the volume of alcohol affects the absorption) and 75% to 80% is absorbed from the small intestine. Because of this peak blood alcohol concentrations are achieved in fasting people within 0.5 to 2.0 hours, (average 0.75 - 1.35 hours depending upon dose and time of last meal) while non-fasting people exhibit peak alcohol concentrations within 1.0, and in extreme cases up to as much as 4.0 hours (average 1.06 - 2.12 hours).

## **Distribution**

Alcohol has a high affinity for water and is therefore found in body tissues and fluids inasmuch as they contain water. Absorbed alcohol is rapidly carried throughout the body in the blood and once absorption of alcohol is complete an equilibrium occurs such that blood at all points in the system contains approximately the same concentration of alcohol.

## **Elimination**

The liver is responsible for the elimination - through metabolism - of 95% of ingested alcohol from the body. The remainder of the alcohol is eliminated through excretion of alcohol in breath, urine, sweat, feces, milk and saliva. The body uses several different metabolic pathways in its oxidation of alcohol to acetaldehyde to acetic acid to carbon dioxide and water.

Healthy people metabolize alcohol at a fairly consistent rate. As a rule of thumb, a person will eliminate one average drink or .5 oz (15 ml) of alcohol per hour.

Several factors influence this rate. The rate of elimination tends to be higher when the blood alcohol concentration in the body is very high. Also chronic alcoholics may (depending on liver health) metabolize alcohol at a significantly higher rate than the average. Finally, the body's ability to metabolize alcohol quickly tend to diminish with age.

## **Body Weight and Body Type**

In general, the less you weigh the more you will be affected by a given amount of alcohol. As detailed above, alcohol has a high affinity for water. Basically one's blood alcohol concentration is a function of the total amount of alcohol in one's system divided by total body water. So for two individuals with similar body compositions and different weights, the larger individual will achieve lower alcohol concentrations than the smaller one if ingesting the same amount of alcohol.

However, for people of the same weight, a well-muscled individual will be less affected than someone with a higher percentage of fat since fatty tissue does not contain very much water and will not absorb very much alcohol.

## **Rate of Consumption**

Blood alcohol concentration depends on the amount of alcohol consumed and the rate at which the user's body metabolizes alcohol. Because the body metabolizes alcohol at a fairly constant rate (somewhat more quickly at higher and lower alcohol concentrations), ingesting alcohol at a rate higher than the rate of elimination results in a cumulative effect and an increasing blood alcohol concentration.

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<sup>2</sup> Sections on absorption, distribution, elimination, body weight and type, rate of consumption, alcohol content, food, medication, fatigue, tolerance, and gender differences all have information taken directly from <http://www.intox.com/t-Physiology.aspx>

## Alcohol Content

It's not how many drinks that you have, but how much alcohol that you consume. As you can see from the chart below some drinks are more potent than others.

### Alcohol Content of Some Typical Drinks

Drink	Alcohol Content
Manhattan	1.15 oz. (34 ml)
Dry Martini	1.00 oz. (30 ml)
Malt Liquor - 12 oz. (355 ml)	0.71 oz. (21 ml)
Airline Miniature	0.70 oz. (21 ml)
Whiskey Sour/Highball	0.60 oz. (18 ml)
Table Wine - 5 oz. (148 ml)	0.55 oz. (16 ml)
Beer - 12 oz. (355 ml)	0.54 oz. (16 ml)
Reduced Alcohol Beer	0.28 oz. (8 ml)

## Food & Alcohol

Food taken along with alcohol results in a lower, delayed blood alcohol concentration peak (the point of greatest intoxication). There are two major factors involved in this phenomenon.

First, because alcohol is absorbed most efficiently in the small intestine, the ingestion of food can slow down the absorption of alcohol into one's system. The pyloric valve at the bottom of the stomach will close in order to hold food in the stomach for digestion and thus keep the alcohol from reaching the small intestine. While alcohol will be absorbed from the stomach it is a slower and less efficient transition.

Second and equally important is the fact that alcohol elimination rates are inversely proportional to alcohol concentration in the blood. Therefore the suppressed levels of alcohol due to food ingestion cause the body to eliminate the alcohol that is absorbed at a faster rate.

The type of food ingested (carbohydrate, fat, protein) has not been shown to have a measurable influence on this affect but the larger the meal and closer in time between eating and drinking, the greater the diminution of peak alcohol concentration. Studies have shown reductions in peak alcohol concentration (as opposed to those of a fasting individual under otherwise similar circumstances) of 9% to 23%.

## Medication

If you are taking any medication, it could increase the effects of alcohol. You should always consult your physician or the medical information that accompanies the medication when drinking alcohol in conjunction with any medication.

## Fatigue

Fatigue causes many of the same symptoms that are caused by alcohol intoxication. These and other symptoms will be amplified if alcohol intoxication is concurrent with fatigue.

## Tolerance

Tolerance is the diminution of the effectiveness of a drug after a period of prolonged or heavy use of that drug or a related drug (cross-tolerance). There are at least two types of tolerance at work with alcohol. The first is metabolic tolerance in which the alcohol is metabolized at a higher rate (up to two times as quickly) in chronic users. Because of the higher metabolic rate for alcohol, lower peak blood alcohol concentrations are achieved by chronic alcohol users than the average drinker when the same amount of alcohol is ingested. The second is functional tolerance in which there is an actual change in the organ or system's sensitivity to the drug. Studies have shown that chronic alcohol users can have twice the tolerance for alcohol as an average person. It is important to note however that even in light of these tolerance factors, it has been shown conclusively that even in heavy alcohol users functional impairment is clearly measurable at the blood alcohol concentration levels that are currently used for traffic law enforcement and safety sensitive job performance.

## Gender Differences

As outlined above in the section on Body Weight and Body Type different body types coincide with different body water percentages. In general, but by no means in all cases, women tend to have a higher percentage of body fat and thus a lower percentage of body water. Therefore, in general, if a man and a woman of the same weight ingest the same amount of alcohol the woman will tend to achieve a higher alcohol concentration. This, of course, would not be true if the woman was very fit and the man was somewhat obese, but on average, this is the case. Furthermore, total body water tends to decrease with age, so an older person will also be more affected by the same amount of alcohol. According to the table below the differences in alcohol concentration due to average body composition differences based on gender would be between 16% and 10% depending on age.

**Average Total Body Water as a function of Sex and Age**

Age	Male	Female
18–40	61%	52%
over 60	51%	46%

Another gender-based difference is in the elimination of alcohol. Although not explained, studies appear to show that women eliminate alcohol from their bodies at a rate 10% greater than that of men.



# Tips for Preventing Substance Abuse

The use of tobacco, alcohol, and other drugs is one of the biggest problems facing people today.

There are no guarantees that someone you love will not choose to use drugs, but you can influence that decision by:

- Not using drugs yourself
- Providing guidance and clear rules about not using drugs
- Spending time with your loved one sharing the good and the bad times. Much of what people, especially children learn about drugs comes from other people or their parents.

Take a few minutes to answer the following questions about your feelings and behaviors about tobacco, alcohol, and other drugs.

1. Do you usually offer alcoholic drinks to friends and family when they come to your home?
2. Do you frequently take medicine for minor aches and pains or if you are feeling sad or nervous?
3. Do you take sleeping pills to fall asleep?
4. Do you use alcohol or any other drug in a way that you would not want your child to?
5. Do you smoke cigarettes?
6. Are you proud about how much you can drink?
7. Do you make jokes about getting drunk or using drugs?
8. Do you go to parties that involve a lot of drinking?
9. Do you drink and drive or ride with drivers who have been drinking?
10. Has your child ever seen you drunk?
11. Do you let minors drink alcohol in your home?

Use the following tips to help guide thoughts and behaviors about drugs:

- 1. Talk honestly.** Don't wait to have "the drug talk" with someone, especially your child. Make discussions about tobacco, alcohol, and other drugs part of your daily conversation. Know the facts about how drugs can harm. Clear up any wrong information, such as "everybody drinks" or "marijuana won't hurt you." Be clear about family rules for use of tobacco, alcohol, and other drugs.
- 2. Really listen.** Encourage questions and concerns about tobacco, alcohol, and other drugs. Do not do all the talking or give long lectures.
- 3. Help develop self-confidence.** Look for all the good things in your child or someone you care about-- and then tell them how proud you are. If you need to correct, criticize the action, not the person. Praise efforts as well as successes.
- 4. Help develop strong values.** Talk about your family values. Teach how to make decisions based on these standards of right and wrong. Explain that these are the standards for your family, no matter what other families might decide.
- 5. Be a good example.** Look at your answers to questions above. Your own habits and thoughts about tobacco, alcohol, and other drugs make an impression. Your actions speak louder than words.
- 6. Help deal with peer pressure and acceptance.** Discuss the importance of being an individual and the meaning of real friendships. Help to understand that he does not have to do something wrong just to feel accepted. Remind him that a real friend won't care if he does not use tobacco, alcohol, and other drugs.
- 7. Make family rules that help say "no."** Talk about your expectation that he will say "no" to drugs. Spell out what will happen if he breaks these rules. (For example, "My parents said I can't use the car if I drink.") Be prepared to follow through, if necessary.
- 8. Encourage healthy, creative activities.** Look for ways to get involved in athletics, hobbies, school clubs, and other activities that reduce boredom and excess free time. Encourage positive friendships and interests. Look for activities that you can do together.
- 9. Team up with other parents.** Work with other parents to build a drug-free environment for children. When parents join together against drug use, they are much more effective than when they act alone. One way is to form a parent group with the parents of your child's friends. The best way to stop a child from using drugs is to stop his friends from using them too.
- 10. Know what to do if someone you love has a drug problem.** Realize that no one is immune to drugs. Learn the signs of drug use. Take seriously any concerns you hear from friends, teachers, or other kids about possible drug use. Trust your instincts. If you truly feel that something is wrong, it probably is. If there's a problem, seek professional help.

*Information provided by the American Academy of Pediatrics.*

# Drugs of Abuse and Associated Health Risks

Substance: Category & Name	Examples of Commercial & Street Names	DEA Schedule <sup>3</sup> / How Administered <sup>4</sup>	Intoxication effects / Potential Health Consequences
<b>CANNABINOIDS</b>			Euphoria, slowed thinking and reaction time, confusion, impaired balance and coordination/ cough, frequent respiratory infections; impaired memory and learning; increased heart rate, anxiety; panic attacks; tolerance, addiction
Hashish	boom, chronic, gangster, hash, hash oil, temp	I/swallowed, smoked	
Marijuana	blunt, dope, ganja, grass, herb, joints, Mary Jane, pot, reefer, sinsemilla, skunk, weed	I/swallowed, smoked	
<b>DEPRESSANTS</b>			Reduced anxiety; feeling of well- being; lowered inhibitions; slowed pulse and breathing; lowered blood pressure; poor concentration/fatigue; confusion; impaired coordination, memory, judgment; addiction; respiratory depression and arrest, death  Also, <i>for barbiturates</i> —sedation, drowsiness/ depression, unusual excitement, fever, irritability, poor judgment, slurred speech, dizziness, life-threatening withdrawal.  <i>for benzodiazepines</i> —sedation, drowsiness/ dizziness  <i>for flunitrazepam</i> —visual and gastrointestinal disturbances, urinary retention, memory loss for the time under the drug's effects  <i>for GHB</i> —drowsiness, nausea/vomiting, headache, loss of consciousness, loss of reflexes, seizures, coma, death  <i>for methaqualone</i> —euphoria/depression, poor reflexes, slurred speech, coma
Barbiturates	<i>Amytal, Nembutal, Seconal, Phenobarbital</i> ; barbs, reds, red birds, phennies, tooies, yellows, yellow jackets	II, III, V/injected, swallowed	
Benzodiazepines (other than flunitrazepam)	<i>Ativan, Halcion, Librium, Valium, Xanax</i> ; candy, downers, sleeping pills, tranks	IV/swallowed, injected	
Flunitrazepam (often used in sexual assault)	<i>Rohypnol</i> ; forgetme pill, Mexican Valium, R2, Roche, roofies, roofinol, rope, rophies	IV/swallowed, snorted	
GHB (often used in sexual assault)	<i>gamma-hydroxybutyrate</i> ; G, Georgia home boy, grievous bodily harm, liquid ecstasy	I/swallowed	
Methaqualone	<i>Quaalude, Sopor, Parest</i> ; ludes, mandrex, quad, quay	I/injected, swallowed	
<b>DISSOCIATIVE ANESTHETICS</b>			Increased heart rate and blood pressure, impaired motor function/memory loss; numbness; nausea/vomiting  Also, <i>for ketamine</i> at high doses— delirium, depression, respiratory depression and arrest  <i>for PCP &amp; analogs</i> —possible decrease in blood pressure and heart rate, panic, aggression, violence/loss of appetite, depression
Ketamine	<i>Ketalar SV</i> ; cat Valiums, K, Special K, vitamin K	III/injected, snorted, smoked	
PCP & analogs	<i>phencyclidine</i> ; angel dust, boat, hog, love boat, peace pill	I, II/injected, swallowed, smoked	

<sup>3</sup> Schedule I and II drugs have a high potential for abuse. They require greater storage security and have a quota on manufacturing, among other restrictions. Schedule I drugs are available for research only and have no approved medical use; Schedule II drugs are available only by prescription (non-refillable) and require a form for ordering. Schedule III and IV drugs are available by prescription, may have five refills in 6 months, and may be ordered orally. Most Schedule V drugs are available over the counter.

<sup>4</sup> Taking drugs by injection can increase the risk of infection through needle contamination with staphylococci, HIV, hepatitis, and other organisms. ordered orally. Most Schedule V drugs are available over the counter.

Substance: Category & Name	Examples of Commercial & Street Names	DEA Schedule <sup>3</sup> / How Administered <sup>4</sup>	Intoxication effects / Potential Health Consequences
<b>HALLUCINOGENS</b>			<p>altered states of perception and feeling; nausea; persisting perception disorder (flashbacks)</p> <p>Also, <i>for LSD and Mescaline</i>— increased body temperature, heart rate, blood pressure; loss of appetite, sleeplessness, numbness, weakness, tremors</p> <p><i>for LSD</i>—persistent mental disorders</p> <p><i>for Psilocybin</i>—nervousness, paranoia</p>
LSD	<i>Lysergic Acid Diethylamide</i> ; acid, blotter, boomers, cubes, microdot, yellow sunshines	I/swallowed, absorbed through mouth tissues	
Mescaline	buttons, cactus, mesc, peyote	I/swallowed, smoked	
Psilocybin	magic mushroom, purple passion, shrooms	I/swallowed	
<b>OPIOIDS &amp; MORPHINE DERIVATIVES</b>			<p>Pain relief, euphoria, drowsiness/nausea, constipation, confusion, sedation, respiratory depression and arrest, tolerance, addiction, unconsciousness, coma, death</p> <p>Also, <i>for Codeine</i>—less analgesia, sedation, and respiratory depression than morphine</p> <p><i>for Heroin</i>—staggering gait</p>
Codeine	<i>Empirin with Codeine, Fiorinal with Codeine, Robitussin A-C, Tylenol with Codeine</i> ; Captain Cody, Cody, schoolboy; (with glutethimide) doors & fours, loads, pancakes and syrup	II, III, IV/injected, swallowed	
Fentanyl & fentanyl analogs	<i>Actiq, Duragesic, Sublimaze</i> ; Apache, China girl, China white, dance fever, friend, goodfella, jackpot, murder 8, TNT, Tango and Cash	I, II/injected, smoked, snorted	
Heroin	<i>Diacetylmorphine</i> ; brown sugar, dope, H, horse, junk, skag, skunk, smack, white horse	I/injected, smoked, snorted	
Morphine	<i>Roxanol, Duramorph</i> ; M, Miss Emma, monkey, white stuff	II, III/injected, swallowed, smoked	
Opium	<i>Laudanum, Paregoric</i> ; big O, black stuff, block, gum, hop	II, III, V/swallowed, smoked	
Oxycodone HCL	<i>Oxycontin</i> ; Oxy,O.C., killer	II/swallowed, snorted, injected	
Hydrocodone bitartrate, acetaminophen	<i>Vicodin</i> ; vike, Watson-387	II/swallowed	

Substance: Category & Name	Examples of Commercial & Street Names	DEA Schedule <sup>3</sup> / How Administered <sup>4</sup>	Intoxication effects / Potential Health Consequences
<b>STIMULANTS</b>			
Amphetamine	<i>Biphetamine, Dexedrine;</i> bennies, black beauties, crosses, hearts, LA turnaround, speed, truck drivers, uppers	II/injected, swallowed, smoked, snorted	increased heart rate, blood pressure, metabolism; feelings of exhilaration, energy, increased mental alertness/rapid or irregular heart beat; reduced appetite, weight loss, heart failure, nervousness, insomnia
Cocaine	<i>Cocaine hydrochloride;</i> blow, bump, C, candy, Charlie, coke, crack, flake, rock, snow, too	II/injected, smoked, snorted	Also, <i>for amphetamine</i> — rapid breathing/ tremor, loss of coordination; irritability, anxiousness, restlessness, delirium, panic, paranoia, impulsive behavior, aggressiveness, tolerance, addiction, psychosis
MDMA (methylenedioxy- methamphetamine)	Adam, clarity, ecstasy, Eve, lover's speed, peace, STP, X, XTC	I/swallowed	<i>for cocaine</i> —increased temperature/chest pain, respiratory failure, nausea, abdominal pain, strokes, seizures, headaches, malnutrition, panic attacks
Methamphetamine	<i>Desoxyn;</i> chalk, crank, crystal, fire, glass, go fast, ice, meth, speed	II/injected, swallowed, smoked, snorted	<i>for MDMA</i> —mild hallucinogenic effects, increased tactile sensitivity, empathic feelings/ impaired memory and learning, hyperthermia, cardiac toxicity, renal failure, liver toxicity
Methylphenidate (safe and effective for treatment of ADHD)	<i>Ritalin;</i> JIF, MPH, R- ball, Skippy, the smart drug, vitamin R	II/injected, swallowed, snorted	<i>for methamphetamine</i> — aggression, violence, psychotic behavior/memory loss, cardiac and neurological damage; impaired memory and learning, tolerance, addiction for nicotine— additional effects attributable to tobacco exposure, adverse pregnancy outcomes, chronic lung disease, cardiovascular disease, stroke, cancer, tolerance, addiction
Nicotine	Cigarettes, cigars, smokeless tobacco, snuff, spit tobacco, bidis, chew	not scheduled/sm oked, snorted, taken in snuff and spit tobacco	
<b>OTHER COMPOUNDS</b>			
Anabolic steroids	Anadrol, Oxandrin, Durabolin, Depo-Testosterone, Equipoise; roids, juice	III/injected, swallowed, applied to skin	no intoxication effects/hypertension, blood clotting and cholesterol changes, liver cysts and cancer, kidney cancer, hostility and aggression, acne; in adolescents, premature stoppage of growth; in males, prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females, menstrual irregularities, development of beard and other masculine characteristics
Inhalants	Solvents (paint thinners, gasoline, glues), gases (butane, propane, aerosol propellants, nitrous oxide), nitrites (isoamyl, isobutyl, cyclohexyl); laughing gas, poppers, snappers, whippets	not scheduled/inh aled through nose or mouth	stimulation, loss of inhibition; headache; nausea or vomiting; slurred speech, loss of motor coordination; wheezing/unconsciousness, cramps, weight loss, muscle weakness, depression, memory impairment, damage to cardiovascular and nervous systems, sudden death

# Services Available to Students for Counseling, Treatment, or Rehabilitation

JPCatholic can refer students, faculty, or staff to Catholic counselors that align with the University mission. More information is available by contacting the Dean of Students.

## Other available resources:

1. **MHS - North Inland Regional Recovery Center:**  
200 East Washington Avenue, Suite 100, Escondido, CA 92025  
Phone: (760) 741-7708 | <https://www.mhsinc.org>
2. **The Fellowship Center:**  
737 East Grand Ave, Escondido, CA 92025  
Phone: (888) 533-9555 | <http://www.thefellowshipcenter.org>
3. **North County Serenity House, Serenity Too** (for women age 18 and older):  
130 South Fig Street, Escondido, CA 92025  
Phone: (760) 747-1015 x2260 | <http://ncsh.org>
4. **Alcoholics Anonymous:** <https://ncsandiegoaa.org>
5. **Al-Anon:** <https://www.alanonsandiego.org>

In addition, a list of additional California Alcohol and Drug Treatment Centers & Detox Centers can be found here: <http://www.soberrecovery.com/links/californiatreatmentcenters.html>

## Legal Sanctions

There are numerous Federal, State, and local statutes and ordinances relating to the manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol. These statutes impose legal sanctions for both felony and misdemeanor convictions related to violations of applicable laws and ordinances. Detailed information regarding these statutes, which may change over time, is available from the Police Department. Scheduled drugs considered to be controlled substances are listed in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812), and are further defined by regulations 21 CFR 1308.11 through 1308.15. Copies of the Act and regulations are available for review via the internet at [leginfo@ca.gov](mailto:leginfo@ca.gov).

## Highlights from Federal and State Laws

1. The manufacture, sale, or distribution of all scheduled drugs is a felony, which could result in serving time in prison; simple possession of controlled substances can be punished by civil fines of up to \$10,000 per violation and a jail sentence.
2. Health care providers are barred from receiving payment from Federal insurance programs upon conviction of a criminal offense involving distribution or dispensation of a controlled substance.
3. Distribution or possession with the intent to distribute a controlled substance on University property requires a sentence up to twice the prescribed sentence for the original offense, and twice the prescribed parole time.
4. The cultivation, possession for sale, or sale of marijuana is a felony.
5. Possession of one ounce or more of marijuana for personal use is a misdemeanor, which could include payment of a fine or serving time in jail; possession of less than one ounce for personal use is a misdemeanor, which could include a fine up to \$100.00.
6. It is a misdemeanor to sell, furnish, give, or cause to be sold, furnished or given away, any alcoholic beverage

to a person under 21 or any obviously intoxicated person, and no one under 21 may purchase alcoholic beverages.

7. It is unlawful for any person under 21 to possess alcoholic beverages on any street or highway or in any place open to public view.

## **Relevant California State Alcohol Laws & Legal Consequences:**

1. Legal age for drinking alcohol is 21.
2. Providing alcoholic beverages to anyone under 21 is prohibited (\$100+ fine and loss of driver's license for 1 year).
3. Those under 21 are not permitted to possess alcohol in public places, including state highways or in and around schools (\$150 fine).
4. It is illegal to possess false identification or use a fake I.D. to purchase (or attempt to purchase) alcohol or to enter an establishment where alcohol is being served.
5. No public intoxication (at least 1 day in county jail and possible fine).
6. No BAC greater than or equal to 0.01% for drivers under 21 (loss of drivers license for one year, vehicle may be impounded).
7. No BAC greater than or equal to 0.08% for drivers (1 year in County Jail up to 4 years in State Prison, driver's license suspended or revoked, probation up to 5 years, fines as high as \$5000, attendance in treatment program may be required).
8. Causing injury or death from driving with BAC >0.08% (up to 4 years in State Prison and fines up to \$5000).
9. Gross vehicular manslaughter (4, 6, or 10 years in State Prison).

It is unlawful for anyone-driver or passenger-to possess an open container of alcohol in an automobile. Possession of an open container of alcohol inside a car could lead to \$1,000 in fines and six months in jail.

## **California Penal Code 647(f) – Public Intoxication**

(f) Who is found in any public place under the influence of intoxicating liquor, any drug, controlled substance, toluene, or any combination of any intoxicating liquor, drug, controlled substance, or toluene, in a condition that he or she is unable to exercise care for his or her own safety or the safety of others, or by reason of his or her being under the influence of intoxicating liquor, any drug, controlled substance, toluene, or any combination of any intoxicating liquor, drug, or toluene, interferes with or obstructs or prevents the free use of any street, sidewalk, or other public way.

## **Alcohol: State Statutes and Penalties**

*Note: this list is not all inclusive and does not include the full text of the statutes.*

### **California Business and Professions Codes • 25658 B&P - Sale and Consumption of Alcohol by Minor (Misdemeanor)**

The purchase or consumption of alcoholic beverages by a person under 21 years of age is a misdemeanor and shall be punished by a fine of not less than \$250 or 24-32 hours of community service or a combination of fine and community service.

### **California Vehicle Codes • 23152. 23165 CVC - Prohibition of Driving Under the Influence of Alcohol or Drugs**

It is unlawful for any person who is under the influence of any alcoholic beverage (0.08 percent or more) and/or drug to drive a vehicle. First conviction: imprisonment in the county jail for not less than 96 hours nor more than six months, and by a fine of not less than \$390 nor more than

\$1,000. In addition, you may lose your driver's license for up to six months or your driving record may be

monitored for a period of time. If you are convicted twice within seven years, you may be imprisoned up to one year, fined up to \$1000, and may lose your driver's license for 18 months.

- **23140 CVC - Persons Under 21**

Persons under 21 found to have alcohol in their system (0.05 percent or more, by weight) are considered to be legally impaired to drive a vehicle. For example, one drink would put you over 0.05 percent.

## **Drugs: California Health and Safety Codes**

Listed below are summaries of sample state statutes and penalties. Note: this list is not all inclusive and does not include the full text of the statutes.

- **11357 H&S - Unauthorized Possession of Marijuana**

Except as authorized by law, every person who possesses not more than 28.5 grams (one ounce) of marijuana, other than concentrated cannabis (felony possession), is guilty of a misdemeanor.

- **11358. 11359 H&S - Growing or Possessing to Sell**

Every person who plants, cultivates, harvests, dries, or processes any marijuana, or possesses for sale any marijuana, except as otherwise provided by law, shall be punished by imprisonment in the state prison (felony).

- **11364 H&S - Opium Pipes: instruments for injecting or smoking controlled substances (Misdemeanor)**

It is unlawful to possess an opium pipe or any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking a controlled substance.

- **11365 H&S - Presence in room or place where designated controlled substances are being smoked or used: aiding or abetting (Misdemeanor)**

It is unlawful to visit or to be in any room or place where any controlled substances are being unlawfully smoked or used with knowledge that such activity is occurring

- **11377-11382.5 H&S - Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs (Misdemeanor/Imprisonment)**

Every person who possesses for sale any controlled substance which is classified in Schedule III, IV, or V and which is not a narcotic drug...shall be punished by imprisonment in the state prison.

## **Higher Education Act: Notice to Students Concerning Penalties for Drug Violations**

This notice provides information on the penalties associated with drug-related offenses under section 484(r) of the Higher Education Act. It also provides notice on how to regain eligibility after conviction of a drug related offense.

The institution will provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA and will advise the student of the ways in which to regain eligibility under section 484(r)(2) of the HEA.

### **SUSPENSION OF ELIGIBILITY FOR DRUG-RELATED OFFENSES-**

IN GENERAL- A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title 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:

**1. The possession of a controlled substance:**

Ineligibility period is:

First offense: 1 year

Second offense: 2 years

Third offense: Indefinite

**2. The sale of a controlled substance:**

Ineligibility period is:

First offense: 2 years

Second offense: Indefinite

2. REHABILITATION- A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the ineligibility period determined under such paragraph if–

A. The student satisfactorily completes a drug rehabilitation program that-

i. Complies with such criteria as the Secretary shall prescribe in regulations for purposes of this paragraph; and

ii. Includes two unannounced drug tests; or

B. The conviction is reversed, set aside, or otherwise rendered nugatory.

## Federal Trafficking Penalties

Drug/Schedule	Quantity	Penalties	Quantity	Penalties
Cocaine (Schedule II)	500–4999 gms mixture	<b>First Offense:</b> Not less than 5 years, 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.  <b>Second Offense:</b> Not less than 10 years, 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.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 years, 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.  <b>Second Offense:</b> 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.  <b>2 or More Prior Offenses:</b> Life imprisonment
Cocaine base (Schedule II)	5–49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40–399 gms mixture		100 gms or more mixture	
Fentanyl Analogue (Schedule II)	10–99 gms mixture		400 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 gms or more pure or 1 kg or more mixture	

Penalties Continued		
Other schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> 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.  <b>Second Offense:</b> 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.
Flunitrazepam (Schedule IV)	1 gm or more	
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
Flunitrazepam (Schedule IV)	30 to 999 mgs	
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
Flunitrazepam (Schedule IV)	Less than 30 mgs	
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> 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	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> <li>• Not less than 10 years, not more than life</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not less than 20 years, not more than life</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine not more than \$8 million if an individual, \$20 million if other than an individual</li> </ul>
Marijuana	100kg to 999kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> <li>• Not less than 5 years, not more than 40 years</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine not more than \$2 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not less than 10 years, not more than life</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>
Marijuana	more than 10 kgs	<ul style="list-style-type: none"> <li>• Not more than 20 years</li> </ul>	<ul style="list-style-type: none"> <li>• Not more than 30 years</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>
	hashish; 50 to 99kg mixture	<ul style="list-style-type: none"> <li>• If death or serious injury, not less than 20 years, not more than life</li> </ul>	
	more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>• Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>	
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> <li>• Not more than 5 years</li> </ul>	<ul style="list-style-type: none"> <li>• Not more than 10 years</li> <li>• Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>
Hashish	10 kg or less	<ul style="list-style-type: none"> <li>• Fine not more than \$250,000, \$1 million other than individual</li> </ul>	
Hashish Oil	1kg or less		

As reported by the U.S. Drug Enforcement Administration at:

<https://www.dea.gov/sites/default/files/2021-12/Trafficking%20Penalties.pdf>

## **Title 21 United States Code (USC) Controlled Substances Act: Drug Abuse Offenses And Penalties**

### **EXPCITE-**

TITLE 21 - FOOD AND DRUGS CHAPTER 13 - DRUG ABUSE PREVENTION AND CONTROL SUBCHAPTER I - CONTROL AND ENFORCEMENT Part D - Offenses and Penalties

**-HEAD- Sec. 841.** Prohibited acts A

### **-STATUTE-**

(a) Unlawful acts Except as authorized by this subchapter, it shall be unlawful for any person knowingly or intentionally -

1. to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance; or
2. to create, distribute, or dispense, or possess with intent to distribute or dispense, a counterfeit substance.

**HEAD-Sec. 844.** Penalties for simple possession

### **-STATUTE-**

(a) Unlawful acts; penalties It shall be unlawful for any person knowingly or intentionally to possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner, while acting in the course of his professional practice, or except as otherwise authorized by this subchapter or subchapter II of this chapter. It shall be unlawful for any person knowingly or intentionally to possess any list I chemical obtained pursuant to or under authority of a registration issued to that person under section 823 of this title or section 958 of this title if that registration has been revoked or suspended, if that registration has expired, or if the registrant has ceased to do business in the manner contemplated by his registration. Any person who violates this subsection may be sentenced to a term of imprisonment of not more than 1 year, and shall be fined a minimum of \$1,000, or both, except that if he commits such offense after a prior conviction under this subchapter or subchapter II of this chapter, or a prior conviction for any drug, narcotic, or chemical offense chargeable under the law of any State, has become final, he shall be sentenced to a term of imprisonment for not less than 15 days but not more than 2 years, and shall be fined a minimum of \$2,500, except, further, that if he commits such offense after two or more prior convictions under this subchapter or subchapter II of this chapter, or two or more prior convictions for any drug, narcotic, or chemical offense chargeable under the law of any State, or a combination of two or more such offenses have become final, he shall be sentenced to a term of imprisonment for not less than 90 days but not more than 3 years, and shall be fined a minimum of \$5,000. Notwithstanding the preceding sentence, a person convicted under this subsection for the possession of a mixture or substance which contains cocaine base shall be imprisoned not less than 5 years and not more than 20 years, and fined a minimum of \$1,000, if the conviction is a first conviction under this subsection and the amount of the mixture or substance exceeds 5 grams, if the conviction is after a prior conviction for the possession of such a mixture or substance under this subsection becomes final and the amount of the mixture or substance exceeds 3 grams, or if the conviction is after 2 or more prior convictions for the possession of such a mixture or substance under this subsection become final and the amount of the mixture or substance exceeds 1 gram. Notwithstanding any penalty provided in this subsection, any person convicted under this subsection for the possession of flunitrazepam shall be imprisoned for not more than 3 years, shall be fined as otherwise provided in this section, or both. The imposition or execution of a minimum sentence required to be imposed under this subsection shall not be suspended or deferred. Further, upon conviction, a person who violates this subsection shall be fined the reasonable costs of the investigation and prosecution of the offense, including the costs of prosecution of an offense as defined in sections 1918 and 1920 of title 28, except that this sentence shall not apply and a fine under this section need not be imposed if the court determines under the provision of title 18 that the defendant lacks the ability to pay.

(b) Repealed. Pub. L. 98-473, title II, Sec. 219(a), Oct. 12, 1984, 98 Stat. 2027

(c) "Drug, narcotic, or chemical offense" defined As used in this section, the term "drug, narcotic, or chemical offense" means any offense which proscribes the possession, distribution, manufacture, cultivation, sale, transfer, or the attempt or conspiracy to possess, distribute, manufacture, cultivate, sell or transfer any substance the possession of which is prohibited under this subchapter.

**HEAD-Sec. 844a.** Civil penalty for possession of small amounts of certain controlled substances

**-STATUTE-**

(a) In general Any individual who knowingly possesses a controlled substance that is listed in section 841(b)(1) (A) of this title in violation of section regulation of the Attorney General, is a personal use amount shall be liable to the United States for a civil penalty in an amount not to exceed \$10,000 for each such violation.

**HEAD- Sec. 853.** Criminal forfeitures

**-STATUTE-**

a. Property subject to criminal forfeiture Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law -

1. any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
2. any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; and
3. in the case of a person convicted of engaging in a continuing criminal enterprise in violation of section 848 of this title, the person shall forfeit, in addition to any property described in paragraph (1) or (2), any of his interest in, claims against, and property or contractual rights affording a source of control over, the continuing criminal enterprise. The court, in imposing sentence on such person, shall order, in addition to any other sentence imposed pursuant to this subchapter or subchapter II of this chapter, that the person forfeit to the United States all property described in this subsection. In lieu of a fine otherwise authorized by this part, a defendant who derives profits or other proceeds from an offense may be fined not more than twice the gross profits or other proceeds.

b. Meaning of term "property" Property subject to criminal forfeiture under this section includes -

1. real property, including things growing on, affixed to, and found in land; and
2. tangible and intangible personal property, including rights, privileges, interests, claims, and securities.

**HEAD-Sec. 859.** Distribution to persons under age twenty-one

**-STATUTE-**

a. First offense Except as provided in section 860 of this title, any person at least eighteen years of age who violates section 841(a)(1) of this title by distributing a controlled substance to a person under twenty-one years of age is (except as provided in subsection (b) of this section) subject to (1) twice the maximum punishment authorized by section 841(b) of this title, and (2) at least twice any term of supervised release authorized by section 841(b) of this title, for a first offense involving the same controlled substance and schedule. Except to the extent a greater minimum sentence is otherwise provided by section 841(b) of this title, a term of imprisonment under this subsection shall be not less than one year. The mandatory minimum sentencing provisions of this subsection shall not apply to offenses involving 5 grams or less of marihuana.

b. Second offense Except as provided in section 860 of this title, any person at least eighteen years of age who violates section 841(a)(1) of this title by distributing a controlled substance to a person under twenty-one years of age after a prior conviction under subsection (a) of this section (or under section 333(b) of this title as in effect prior to May 1, 1971) has become final, is subject to (1) three times the maximum punishment authorized by section 841(b) of this title, and (2) at least three times any term of supervised release authorized by section 841(b) of this title, for a second or subsequent offense involving the same controlled substance and schedule. Except to the extent a greater minimum sentence is otherwise provided by section 841(b) of this title, a term of imprisonment under this subsection shall be not less than one year. Penalties for third and subsequent convictions shall be governed by section 841(b)(1)(A) of this title

**HEAD-Sec. 860.** Distribution or manufacturing in or near schools and colleges

**- STATUTE-**

a. Penalty Any person who violates section 841(a)(1) of this title or section 856 of this title by distributing, possessing with intent to distribute, or manufacturing a controlled substance in or on, or within one thousand feet of, the real property comprising a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or within 100 feet of a public or private youth center, public swimming pool, or video arcade facility, is (except as provided in subsection (b) of this section) subject to (1) twice the maximum punishment authorized by section 841(b) of this title; and (2) at least twice any term of supervised release authorized by section 841(b) of this title for a first offense. A fine up to twice that authorized by section 841(b) of this title may be imposed in addition to any term of imprisonment authorized by this subsection. Except to the extent a greater minimum sentence is otherwise provided by section 841(b) of this title, a person shall be sentenced under this subsection to a term of imprisonment of not less than one year. The mandatory minimum sentencing provisions of this paragraph shall not apply to offenses involving 5 grams or less of marihuana.

b. Second offenders Any person who violates section 841(a)(1) of this title or section 856 of this title by distributing, possessing with intent to distribute, or manufacturing a controlled substance in or on, or within one thousand feet of, the real property comprising a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or within 100 feet of a public or private youth center, public swimming pool, or video arcade facility, after a prior conviction under subsection (a) of this section has become final is punishable (1) by the greater of (A) a term of imprisonment of not less than three years and not more than life imprisonment or (B) three times the maximum punishment authorized by section 841(b) of this title for a first offense, and (2) at least three times any term of supervised release authorized by section 841(b) of this title for a first offense. A fine up to three times that authorized by section 841(b) of this title may be imposed in addition to any term of imprisonment authorized by this subsection. Except to the extent a greater minimum sentence is otherwise provided by section 841(b) of this title, a person shall be sentenced under this subsection to a term of imprisonment of not less than three years. Penalties for third and subsequent convictions shall be governed by section 841(b)(1)(A) of this title.

**HEAD- Sec. 862.** Denial of Federal benefits to drug traffickers and possessors

**- STATUTE-**

**a. Drug traffickers**

1. Any individual who is convicted of any Federal or State offense consisting of the distribution of controlled substances shall -

A. at the discretion of the court, upon the first conviction for such an offense be ineligible for any or all Federal benefits for up to 5 years after such conviction;

B. at the discretion of the court, upon a second conviction for such an offense be ineligible for any or all Federal benefits for up to 10 years after such conviction; and

C. upon a third or subsequent conviction for such an offense be permanently ineligible for all Federal benefits.

2. The benefits which are denied under this subsection shall not include benefits relating to long-term drug treatment programs for addiction for any person who, if there is a reasonable body of evidence to substantiate such declaration, declares himself to be an addict and submits himself to a long-term treatment program for addiction, or is deemed to be rehabilitated pursuant to rules established by the Secretary of Health and Human Services.

**b. Drug possessors**

1. Any individual who is convicted of any Federal or State offense involving the possession of a controlled substance (as such term is defined for purposes of this subchapter) shall -

A. upon the first conviction for such an offense and at the discretion of the court -

- i. be ineligible for any or all Federal benefits for up to one year;
- ii. be required to successfully complete an approved drug treatment program which includes periodic testing to insure that the individual remains drug free;
- iii. be required to perform appropriate community service; or
- iv. any combination of clause (i), (ii), or (iii); and

B. upon a second or subsequent conviction for such an offense be ineligible for all Federal benefits for up to 5 years after such conviction as determined by the court. The court shall continue to have the discretion in subparagraph (A) above. In imposing penalties and conditions under subparagraph (A), the court may require that the completion of the conditions imposed by clause (ii) or (iii) be a requirement for the reinstatement of benefits under clause (i).

2. The penalties and conditions which may be imposed under this subsection shall be waived in the case of a person who, if there is a reasonable body of evidence to substantiate such declaration, declares himself to be an addict and submits himself to a long-term treatment program for addiction, or is deemed to be rehabilitated pursuant to rules established by the Secretary of Health and Human Services.

C. Suspension of period of ineligibility The period of ineligibility referred to in subsections (a) and (b) of this section shall be suspended if the individual -

- i. completes a supervised drug rehabilitation program after becoming ineligible under this section;
- ii. has otherwise been rehabilitated; or
- iii. has made a good faith effort to gain admission to a supervised drug rehabilitation program, but is unable to do so because of inaccessibility or unavailability of such a program, or the inability of the individual to pay for such a program.

D. Definitions As used in this section -

i. the term "Federal benefit" -

(a) means the issuance of any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States; and

(b) does not include any retirement, welfare, Social Security, health, disability, veterans benefit, public housing, or other similar benefit, or any other benefit for which payments or services are required for eligibility; and



- ii. the term "veterans benefit" means all benefits provided to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.

**HEAD- Sec. 862a.** Denial of assistance and benefits for certain drug-related convictions

**-STATUTE-**

a. In general An individual convicted (under Federal or State law) of any offense which is classified as a felony by the law of the jurisdiction involved and which has as an element the possession, use, or distribution of a controlled substance (as defined in section 802(6) of this title) shall not be eligible for -

1. assistance under any State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or

2. benefits under the food stamp program (as defined in section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h))) or any State program carried out under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

## **Student / Employee Acknowledgement**

I am aware of the John Paul the Great Catholic University "Statement of Drug Free Workplace and Institution of Higher Education," and the Drug and Alcohol Prevention Program materials. As an employee or student of John Paul the Great Catholic University, I agree to abide by the terms of the "Statement of Drug Free Workplace and Institution of Higher Education" and also to notify JP Catholic of any criminal drug statute convictions for violations occurring on the premises of the University or at any of its related activities no later than five days after the occurrence or conviction.

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_