

Drug and Alcohol Abuse Prevention Program

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Introduction

The university recognizes drug and alcohol abuse as illnesses or treatable disorders. Consequently, the university seeks to work with members of its community to provide channels of education and assistance. However, possession and/or use of controlled substances is illegal, and the University must comply with all federal, state and local laws. The University Catalog discusses JMVU’s policy towards Drug and Alcohol Abuse, which states that controlled substances and alcohol are prohibited on campus, and students or employees under the influence may be dismissed and subject to further sanctions for repeated infractions.

This plan complies with regulations that require every school that participates in FSA programs to have a drug and alcohol prevention program. It has been designed to benefit all the JMVU community. It is composed of 5 main aspects:

- a. Brochure: Annual distribution of information concerning drug and alcohol abuse.
- b. Accessible Counseling: Referrals (by appropriate directors) to rehabilitation and treatment programs.
- c. Orientation sessions for incoming students on the health risks and civil and criminal consequences for drug and alcohol abuse, as well as for illegal possession and sale of drugs.
- d. Development of workshops and lectures to raise awareness about consequences of drugs and alcohol abuse.
- e. Section on JMVU website dedicated to drug and alcohol prevention with resources for students and employees to be aware of risks and consequences of abuse.

Applicable Legal Sanctions

The following section includes federal, state and local sanctions for sale/manufacture/possession of controlled substances, and alcohol-related infractions.

Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	First Offense :	5 kgs or more mixture	First Offense :
Cocaine Base (Schedule II)	28-279 gms mixture	Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual	280 gms or more mixture	Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture	Second Offense : Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual	100 gms or more mixture	Second Offense : Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	2 or More Prior Offenses: Life imprisonment
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense : Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense : Not more than 30 yrs. If death or serious injury, not more than 15 yrs. Fine \$2 million if an individual, \$10 million if not an individual		
Other Schedule III drugs	Any amount	First Offense : Not more than 10 years. If death or serious 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 \$1.5 million if an individual, \$5 million if not an individual		
All other Schedule IV drugs	Any amount	First Offense : Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	Less than 1 gm	Second Offense : Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense : Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		
DRUG	QUANTITY	1 st OFFENSE	2 nd OFFENSE*	
Marijuana (Schedule I)	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 years, not more than life If death or serious injury, not less than 20 years, not more than life Fine not more than \$4 million if an individual, \$10 million if other than an individual	Not less than 20 years, not more than life If death or serious injury, mandatory life Fine not more than \$8 million if an individual, \$20 million if other than an individual	
Marijuana (Schedule I)	100 kg to 999 kg mixture; or 100 to 999 plants	Not less than 5 years, not more than 40 years If death or serious injury, not less than 20 years, not more than life Fine not more than \$2 million if an individual, \$5 million if other than an individual	Not less than 10 years, not more than life If death or serious injury, mandatory life Fine not more than \$4 million if an individual, \$10 million if other than an individual	
Marijuana (Schedule I)	more than 10 kgs hashish; 50 to 99 kg mixture	Not more than 20 years	Not more than 30 years	
		If death or serious injury, not less than 20 years, not more than life	If death or serious injury, mandatory life	
	more than 1 kg of hashish oil; 50 to 99 plants	Fine \$1 million if an individual, \$5 million if other than an individual	Fine \$2 million if an individual, \$10 million if other than individual	
Marijuana (Schedule I)	1 to 49 plants; less than 50 kg	Not more than 5 years Fine not more than \$250,000, \$1 million other than individual	Not more than 10 years Fine \$500,000 if an individual, \$2 million if other than individual	
Hashish (Schedule I)	10 kg or less			
Hashish Oil (Schedule I)	1 kg or less			

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$8 million if an individual and \$20 million if other than an individual.

Florida Drug Possession Penalties

DRUG CHARGE	CLASSIFICATION	PENALTY
Possession of Marijuana (20 grams or less) Ref: Florida Criminal Statute - §893.13(6)(b)	Possession of <u>20 grams or less of marijuana</u> is a First Degree Misdemeanor.	A 1st degree misdemeanor has a maximum penalty of <u>1 year in jail and a \$1000 fine.</u>
Possession of Marijuana (more than 20 grams) Ref: Florida Criminal Statute - §893.13(6)(a)	Possession of <u>more than 20 grams of marijuana</u> is a Third Degree Felony.	A 3rd degree felony has a maximum penalty of 5 year in jail and a \$5000 fine.
Sale/Manufacture/Possession of Large Amounts of Marijuana Ref: Fl. Stat. §893.135		
Distributing <20 g.	1 st degree misdemeanor	Up to 1 year in jail and up to \$1,000
Less than 25 pounds	4 th degree felony	Up to 5 yrs. in prison and \$5,000
25- 2,000 pounds	1 st degree felony	<u>Minimum 3 yrs</u> in prison and \$25,000
2,000- 10,000 pounds	1 st degree felony	<u>Minimum 7 yrs</u> in prison and \$50,000
More than 10,000 lbs.	1 st degree felony	<u>Minimum 15 years</u> in prison and \$200,000
Possession of a Controlled Substance (Heroin, Cocaine, Ecstasy) Ref: Florida Criminal Statute - §893.13(6)(a)	3rd Degree Felony	A Third degree penalty carries a maximum penalty of 5 years in jail and up to a \$5000 fine.
Possession of More than 10 grams of Heroin Ref: Florida Criminal Statute - §893.13(6)(c)	1st Degree Felony	A first degree felony has a maximum penalty of 30 years in prison and fines of up to \$10,000.
Possession of an Unlawful Chemical listed chemical with the intent to unlawfully manufacture a controlled substance Ref: Florida Criminal Statute - §893.149	2nd Degree Felony	A second degree felony has a maximum penalty of 15 years in jail and a \$10,000 fine.
Possession of Drug Paraphernalia Include pipes, bongs, other smoking devices, spoons, needles, syringes, scales, measuring or preparation devices, containers, bags, and other items. Ref. §893.147, Fla. Stat.	1st Degree Misdemeanor.	A first degree misdemeanor has a maximum penalty of <u>1 year in jail and a \$1000 fine.</u>

Alcohol-related infractions

Possession of alcoholic beverages by persons under the age of 21:

The legal age for drinking alcoholic beverages in the United States is 21 years old. Any student or employee that is caught under the influence of alcohol will be reported to the authorities for underage drinking. Any person under the age of 21 who is convicted of a violation for possession of alcoholic beverages is guilty of a misdemeanor of the second degree. (Misdemeanor of the second degree is punishable by imprisonment of up to 60 days, possible forfeiture of property, suspension or cancellation of license, and a fine up to \$500).

Driving Under the Influence of Alcoholic Beverages, Chemical Substances or Controlled Substances Penalties:

Florida’s maximum allowed blood-alcohol content (BAC) in drivers is .08 percent. Driving under the influence (DUI) is a serious offense. Penalties include fines (\$500 up to \$5,000), community service (50 hours or more), imprisonment (less than 6 months to a year), probation (1 to 5 years), and/or impoundment of vehicle.

However, DUIs that result in misdemeanor, felony conviction, manslaughter or vehicular homicide charges will incur in higher fines and increased periods of imprisonment, as dictated by the law. More information on these charges may be found at the Florida Department of Highway Safety and Motor Vehicles at <http://www.flhsmv.gov/ddl/duilaws.html>.

Health Risks

Using alcohol and other drugs carries risks. Alcohol and drugs produce an intoxication of the human body that alters judgment, perception, attention and physical control, making individuals more likely to hurt themselves and others. Drug and/or alcohol abuse can adversely affect productivity, academic performance, work quality, motivation, judgment, pregnancy, and personality. Specific health risks include temporary or permanent damage of major organs, increased risk of cancer, and depending on the dose, may result in death.

Alcohol Abuse

Prolonged alcohol abuse is frequently associated with poor nutrition, which often permanently damages vital organs such as the brain and liver. It also produces behavioral changes, impairs judgment and coordination. Alcohol abuse is associated with nearly half of all fatal motor vehicle accidents. Women who drink while pregnant may give birth to infants with irreversible physical abnormalities and mental retardation, which are signs of fetal alcohol syndrome. Children of alcoholic parents are more likely to abuse alcohol themselves.

Controlled substances abuse

- **Marijuana** (also known as grass, pot, weed, herb): Immediate effects may be increase in heart rate, bloodshot eyes, dry mouth, and hunger. Associated with increased risk of progressing to more powerful and dangerous drugs such as cocaine and heroin. Marijuana smoke is carcinogenic and damaging to the respiratory system. Use of cannabis may impair short-term memory and comprehension, alter sense of time, and reduce coordination and motivation. Marijuana can also produce paranoia and psychosis. Long-term users may develop psychological dependence.
- **Cocaine** (also known as crack, coke, snow, rock): Short-term effects also include paranoia, constriction of blood vessels leading to heart damage or stroke, irregular heartbeat, and death. Severe depression and reduced energy often accompany withdrawal. Occasional use can cause stuffy or runny nose. Chronic use can cause ulceration of the mucous membrane in the nose. Injecting cocaine with un-sterile equipment can transmit HIV/AIDS and other infections. Both short- and long-term use of cocaine has been associated with damage to the heart, the brain, the lung, and the kidneys. Cocaine use may lead to death through disruption of the brain's control of heart and respiration.
- **Heroin** (also known as smack, horse): Overdose may result in death from decreased breathing. Because heroin is usually injected, often with dirty needles, use of the drug can trigger other health complications including destruction of your heart valves, HIV/AIDS, infections, tetanus, and botulism.
- **Methamphetamines** (also known as meth, crank, ice, speed, crystal): effects include heart attacks, dangerously high blood pressure, and stroke. Other long-term effects include paranoia, hallucinations, weight loss, destruction of teeth, and heart damage.
- **Anabolic Steroids**: Steroid use can cause physical and psychological side effects, including acne, liver cancer, sterility, aggressive behavior and depression. Some side effects appear quickly; others, such as heart attacks & strokes, may not show up for years. Other signs of steroid use include jaundice; discoloration of the skin; swelling of feet or lower legs; trembling and bad breath.
- **Ecstasy**: Long-term use may cause damage to the brain's ability to regulate sleep, pain, memory, and emotions.
- **GHB** (also called Liquid XTC, G, blue nitro): GHB's effects are related to dosage; it acts as a powerful sedative, and its effects range from mild relaxation to coma or death.
- **Rohypnol** (also called roofies: sedative commonly used as a date-rape drug). Effects include low blood pressure, dizziness, abdominal cramps, confusion, and impaired memory.
- **Ketamine** (also called Special K, K): can impair memory and attention. Higher doses can cause amnesia, paranoia and hallucinations, depression, and difficulty breathing.
- **LSD and hallucinogenic mushrooms**: can cause hallucinations, numbness, nausea, and increased heart rate. Users may experience panic, confusion, suspicion, anxiety and loss of control. Long-term effects include unwanted "flashbacks" and psychosis (hallucinations, delusions, paranoia, and mood disturbances).

This list is not exhaustive. Further information on drug effects and health risks may be found in the DEA Drug Fact Sheet at http://www.justice.gov/dea/pubs/1107_all_fact_sheets.pdf.

The use/distribution/sale of controlled substances, even those not mentioned here, are prohibited on campus. Students or employees that are reported under the influence of alcohol and controlled substances will be addressed and offered alternatives for counseling, treatment and rehabilitation. If continued abuse is reported, and the measures taken by the university are not effective, dismissal/expulsion might be considered.

Counseling, Treatment and Rehabilitation Programs

As JMVU recognizes alcohol and drug abuse as illness or treatable disorders, the directive personnel that handles reported incidents seeks to inform students and employees of the advantages of leading a drug-free life and maintaining a drug-free environment on campus. They also provide more information on counseling, treatment and rehabilitation programs available, encouraging to seek professional help. All discussions and information shared on individual sessions with directives from Student Development or Human Resources about the cases will remain confidential.

Individuals seeking treatment may visit the following website to find a rehabilitation or treatment facility near the area of their choice: Substance Abuse Treatment Facility Locator at <http://dasis3.samhsa.gov>.

Other resources for understanding drug and alcohol abuse may be found at HelpGuide.org at http://helpguide.org/mental/drug_substance_abuse_addiction_signs_effects_treatment.htm

Institutional Sanctions

Alcohol and drug abuse is taken very seriously at JMVU. Incidents are handled with no prescriptive methods or sanctions, but rather on a case by case basis depending on the severity of the situation and previous warnings. In the case of students, the Department of Student Development will address the case and refer to the proper authorities or counseling professionals, as needed. Any sanctions applied will be upon their discretion and judgment of the situation. In the case of employees, the Human Resources Department will be responsible for determining the appropriate course of action. For more information, employees should also refer to the Employee Handbook, available at the Human Resources Department and at the University's website under Publications.

Sanctions may include written reprimands on the student or employee's record, restriction or loss of privileges, suspension, expulsion or termination of employment, and referral for prosecution. Aside from these sanctions, students will remain financially liable for institutional charges pending on the student's account, and both students and employees will be financially liable for indirect or direct charges associated with any reported incidents.

In order to protect the professional and academic environment of the university, a university committee will evaluate petitions from students or employees that would like to be reinstated. In these cases, students or employees that have been dismissed must submit documentation that demonstrates that he/she has sought out help and has complied with treatment, or is currently in treatment showing improvement, in order to be evaluated for re-entry. Any petition for reinstatement or re-entry may be denied upon evaluation.

Program Review

This program will be reviewed once every two years. The criteria for determining effectiveness is the increase/decrease of drug and alcohol related infractions reported on campus, and the increase/decrease of number of students suffering from a drug or alcohol abuse problem. A log of reported incidents will be kept separately from student or employee files in order to determine the number of alcohol and drug-related violations that occur on campus or as part of institutional activities reported to campus officials, determine the number and type of sanctions that are imposed and ensure that the sanctions are consistently enforced. Referrals will also be recorded, and used for determining effectiveness of program. To the extent possible, a campus-wide survey will be conducted on attitudes and perceptions about drug and alcohol problems on campus.

This report will be turned in to the Campus President, Student Development Director and Human Resources Manager. It will also be consigned to the Department of Education upon request.