

# NOTICE TO STUDENTS AND EMPLOYEES

It is the policy of the institution to maintain a drug free and alcohol free environment. Students and staff are urged to review and abide by the institution's policy.

This institution distributes information regarding drug abuse prevention and counseling. This information includes adverse effects of alcohol and drugs, drug abuse offenses and penalties, tips for preventing alcohol and drug abuse, and a listing of area drug and alcohol abuse treatment facilities.

Federal law requires all post-secondary institutions to notify students and employees of the following: the unlawful possession, use or distribution of illicit drugs or alcohol on school property or in connection with any school activity is strictly prohibited. This prohibition applies to all students and employees.

Any employee or student who is a drug or alcohol offender will have disciplinary action imposed by the school. These sanctions include:

- Mandated treatment for problem with Pennsylvania Institute of Health and Technology Employee/Student Assistance Program Coordinator.
- Mandated attendance at local treatment center.
- Mandated completion of drug rehabilitation program.
- Mandated probation period not to exceed one month.
- Discharge from employment or expulsion from school.



## **Biennial Review**

Pennsylvania Institute of Health and Technology conducted a biennial review of its drug and alcohol prevention program at the end of the 2014/2015 Award Year and determined that the program is sound. There were no drug or alcohol-related violations that occurred on the institution's campus or as part of any of the institution's activities and therefore, there were no sanctions imposed.

## 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.

### (r) SUSPENSION OF ELIGIBILITY FOR DRUG-RELATED OFFENSES-

(1) 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:

#### **The possession of a controlled substance:**

Ineligibility period is:

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

#### **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.

# **EFFECTS OF ALCOHOL**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much doses of alcohol will produce the effects just described.

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 AND OTHER DRUGS**

## **(Am I using them or are they using me?)**

DO YOU DRINK OR TAKE DRUGS TO MAKE YOURSELF FEEL BETTER IF YOU'RE HAVING A HARD TIME AT WORK OR AT HOME?

HAS YOUR DRINKING/DRUG USE INCREASED IN THE LAST TWO YEARS, YEAR, SIX MONTHS?

ARE YOU ANNOYED OR DEFENSIVE IF ANYONE MENTIONS YOUR ALCOHOL/DRUG USE?

HAVE YOU EVER TRIED TO LIMIT YOUR DRINKING/DRUG USE BY USING ONLY AT A CERTAIN TIME OF DAY OR ON CERTAIN DAYS OF THE WEEK?

DO YOU START DRINKING OR USING DRUGS SOONER, AND STOP USING LATER, THAN MOST OF YOUR FRIENDS?

HAVE YOU HAD A MORNING DRINK OR HIT IN THE PAST YEAR?

HAS YOUR DRINKING/DRUG USE EVER CAUSED YOU PROBLEMS AT HOME OR AT WORK?

DO YOU EVER FEEL GUILTY OR REGRETFUL ABOUT HOW YOU'VE BEHAVED WHEN YOU'RE USING?

HAVE YOU EVER HAD A MEMORY LAPSE AFTER DRINKING OR USING?

If you answered "yes" to two or more questions, there is a good chance that you may be heading for a dangerous alcohol or other drug problem-if you don't already have one. Only you know the truth about your own chemical use.

## Booze Briefs

93% of college students have used alcohol in their lifetime.

20 - 30% of college students have drinking problems.

41% of college students consume five or more drinks in a row-a practice that will intoxicate almost all.

The typical student will probably spend more money for alcoholic beverages than for textbooks.

A poll reported in the *Wall Street Journal* disclosed that 2 out of 3 undergraduates admitted to driving while intoxicated.

College students who are in high academic standing drink less in almost all situations than do their peers who are in low academic standing.

From Lewis Eigen. *Alcohol Practices, Policies and Potentials of American Colleges and Universities, A White Paper*. Rockville, MD: U.S. Department of Health & Human Services, 1991.

## COMMONLY USED/ABUSED DRUGS AND THEIR RISKS

Classification	Drug	Common or Brand Name	Dependence Potential		Acute Effects	Health Risks and Effects of Long-Term Use*	Overdose Effects
			Physical	Psycho-logical			
<b>Alcohol</b>	Ethanol ----- -----	Beer Wine Distilled Liquor	High High High	High High High	<ul style="list-style-type: none"> <li>Lowered Inhibitions,</li> <li>Impaired Judgment, Vision</li> <li>Loss of Motor Skills, Coordination</li> <li>Slurred Speech</li> </ul>	<ul style="list-style-type: none"> <li>Hypertension</li> <li>Liver Damage</li> <li>Cardiovascular Disease</li> <li>Toxic Psychosis</li> <li>Neurologic Damage</li> <li>Addiction with Severe Withdrawal</li> </ul>	<ul style="list-style-type: none"> <li>Coma</li> <li>Possible Death</li> </ul>
<b>Narcotics</b>	<ul style="list-style-type: none"> <li>➤Opium</li> <li>Morphine</li> <li>Codeine</li> <li>➤Heroin</li> <li>Meperidine</li> <li>Other</li> </ul>	<ul style="list-style-type: none"> <li>✧Paregoric, Dover's Powder</li> <li>✧Morphine</li> <li>✧Tylenol w/Codeine, Robitussin</li> <li>Heroin</li> <li>✧Demerol, Pethadol</li> <li>✧Dilaudid, Lentine, Percodan</li> </ul>	High High High High High High	High High High High High High	<ul style="list-style-type: none"> <li>Euphoria, Drowsiness</li> <li>Respiratory Depression</li> <li>Constricted Pupils</li> <li>Nausea, Vomiting</li> <li>Analgesia (Pain Relief)</li> </ul>	<ul style="list-style-type: none"> <li>Loss of Appetite</li> <li>Constipation</li> <li>Risk of Aids, Hepatitis From I.V. Drug Use</li> </ul>	<ul style="list-style-type: none"> <li>Shallow Perspiration</li> <li>Clammy Skin</li> <li>Convulsions, Coma</li> <li>Possible Death</li> <li>May be Toxic if Mixed with Alcohol</li> </ul>
<b>Depressants</b>	<ul style="list-style-type: none"> <li>Chloral Hydrate</li> <li>Barbiturates</li> <li>Glutethimide</li> <li>Methaqualone</li> <li>Tranquilizers</li> <li>Other</li> </ul>	<ul style="list-style-type: none"> <li>✧Noctec, Somnos</li> <li>✧Nembutal, Phonobarbitol, Seconal, Tuinol</li> <li>✧Doriden</li> <li>✧Optimil, Parest, Quaalude, Sopor</li> <li>✧Equanil, Valium, Tranxene, Serax, Xanax</li> <li>✧Dalmane, Dormate, Placidyl, Valmid</li> </ul>	Moderate High  High High Moderate	Moderate High  High High High	<ul style="list-style-type: none"> <li>Slurred Speech</li> <li>Disorientation</li> <li>Drunken Behavior without the odor of Alcohol</li> <li>Relaxation, Depression</li> </ul>	<ul style="list-style-type: none"> <li>Addiction with withdrawal</li> <li>Toxic Pshchosis</li> </ul>	<ul style="list-style-type: none"> <li>Shallow Respiration</li> <li>Cold, Clammy Skin</li> <li>Weak, Rapid Pulse</li> <li>Coma</li> <li>Possible Death</li> <li>May be toxic if mixed with alcohol</li> </ul>
<b>Stimulants</b>	<ul style="list-style-type: none"> <li>➤Cocaine</li> <li>➤Amphetamine</li> <li>Phenmetrazine</li> <li>Methylphenidate</li> <li>Other</li> </ul>	<ul style="list-style-type: none"> <li>Cocaine Hydrochloride</li> <li>✧Benzedrine, Biphetamine, Desoxy, Dexedrine</li> <li>✧Preludin</li> <li>✧Ritallin</li> <li>✧Cylert, Didrex, Pre-sate, Sanorex, Voranil</li> </ul>	Possible Possible  Possible Possible Possible	High High  High High High	<ul style="list-style-type: none"> <li>Feeling of well-being</li> <li>Excitation, Euphoria</li> <li>Increased alertness</li> <li>Increased blood pressure, pulse</li> <li>Insomnia, appetite loss</li> </ul>	<ul style="list-style-type: none"> <li>Delusions, Hallucinations (Toxic Psychosis)</li> <li>Possible organ/tissue damage</li> </ul>	<ul style="list-style-type: none"> <li>Agitation</li> <li>Temperature increase</li> <li>Hallucinations</li> <li>Convulsions</li> <li>Heart Attack; Stroke</li> </ul>
<b>Hallucinogenics</b>	<ul style="list-style-type: none"> <li>➤LSD</li> <li>➤Mescaline</li> <li>➤Psilocybin</li> <li>➤MDA</li> <li>➤PCP</li> </ul>	<ul style="list-style-type: none"> <li>Acid, Lysergic Acid</li> <li>Peyote, Peyote buttons, Mescalito</li> <li>Magic Mushrooms, 'Shrooms</li> <li>---</li> <li>Angel Dust, Crystal, Cernylan (Veterinary)</li> </ul>	Low Low Low Unknown Unknown	Unknown Unknown Unknown Unknown Unknown	<ul style="list-style-type: none"> <li>Dilated Pupils</li> <li>Increased Blood Pressure, Pulse</li> <li>Delusions/Hallucinations</li> <li>Distorted Perception of time, space and reality</li> </ul>	<ul style="list-style-type: none"> <li>Hallucinogens, Especially LSD, may intensify existing psychosis</li> <li>Possible violent behavior</li> </ul>	<ul style="list-style-type: none"> <li>Intense "Bad Trips"</li> <li>Psychosis</li> <li>Possible sudden death</li> </ul>
<b>Inhalants</b>	<ul style="list-style-type: none"> <li>Airplane glue</li> <li>Lighter fluid</li> <li>Aerosols</li> <li>Spray paints</li> <li>Paint thinner</li> <li>Gasoline</li> <li>"Poppers"</li> </ul>	<ul style="list-style-type: none"> <li>Active ingredient: Toluene</li> <li>Active ingredient: Napthalene</li> <li>Active ingred.: Chloroflouorocarbon</li> <li>Active ingred.: Petroleum distillates</li> <li>Active ingred.: Petroleum distillates</li> <li>Active ingred.: Petroleum distillates</li> <li>Active ingred.: Amyl/Butylnitrite</li> </ul>	Unknown Unknown Unknown Unknown Unknown Unknown	Unknown Unknown Unknown Unknown Unknown Unknown	<ul style="list-style-type: none"> <li>Slurred Speech</li> <li>Drunken Behavior</li> <li>Impaired Judgment</li> <li>Poor Coordination</li> </ul>	<ul style="list-style-type: none"> <li>Hallucinations</li> <li>Possible damage to bone marrow, lungs, kidneys, liver, heart, brain, eyes</li> </ul>	<ul style="list-style-type: none"> <li>Unconsciousness</li> <li>Coma</li> <li>Possible toxic reaction</li> <li>Possible sudden death</li> </ul>
<b>Cannabis</b>	<ul style="list-style-type: none"> <li>➤Marijuana</li> <li>➤Hashish</li> <li>➤Hash Oil</li> </ul>	<ul style="list-style-type: none"> <li>Grass; Pot; Weed; Dope</li> <li>Hash</li> </ul>	Low Low Low	Moderate Moderate Moderate	<ul style="list-style-type: none"> <li>Tachycardia: Reddened eyes</li> <li>Euphoria; profound humor</li> <li>Altered time/space perception</li> <li>Short-term memory loss</li> <li>Increased appetite</li> </ul>	<ul style="list-style-type: none"> <li>Cardiovascular damage as with smoking tobacco</li> <li>Paranoia</li> </ul>	<ul style="list-style-type: none"> <li>Insomnia; hyperactivity</li> <li>Panic attacks; paranoia</li> <li>Possible toxic reaction if treated with other chemicals</li> </ul>
<b>Tobacco</b>	Nicotine	Cigarettes Cigars	Moderate Moderate	High High	<ul style="list-style-type: none"> <li>Relaxation</li> <li>Stimulation</li> </ul>	<ul style="list-style-type: none"> <li>Cardiovascular disease,</li> <li>Respiratory illness</li> </ul>	<ul style="list-style-type: none"> <li>Possible death at very high dosage level</li> </ul>

## 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.



# **Help Available to PIHT Students**

## **Drug and Alcohol Treatment Facilities Available**

Pennsylvania Institute of Health and Technology offers a completely confidential Employee and Student Assistance Referral Program. The following community resources are available:

**Fayette County Drug & Alcohol Commission**

(412) 438-3576

**Alcoholics Anonymous**

(412) 471-7422

**Greenbriar Treatment Center**

(800) 637-4673

**Al-Anon For Family Groups**

(800) 628-8920

**Chestnut Ridge Counseling Service**

(412) 437-0729

**Chestnut Ridge Hospital Morgantown, WV**

~~(304) 293-4000~~

**Crime Victims Center**

(412) 438-1470

**Crosskeys Human Services**

(412) 785-6180

**Community Action Agency**

(412) 437-6050

This list of treatment facilities and services is not intended to be exhaustive; it is merely a helpful list of some contacts in the area that are convenient to Pennsylvania Institute of Health and Technology campus. PIHT cannot accept liability for any services, treatment, or counseling provided by these agencies or their employees. The individual and his or her family should conduct reviews of these facilities before accepting their services.

## Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.  <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		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture	100 gm or more pure or 1 kg or more mixture		
<b>PENALTIES</b>				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more that 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 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.
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**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	100 kg to 999 kg 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 hashish; 50 to 99 kg mixture  more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>• Not more than 20 years</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine \$1 million if an individual, \$5 million if other than an individual</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>
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> <li>• Not more than 5 years</li> <li>• Fine not more than \$250,000, \$1 million other than individual</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		
Hashish Oil	1 kg or less		

As reported by the U.S. Drug Enforcement Administration at: <http://www.usdoj.gov/dea/agency/penalties.htm>

# **Federal, State, and Local Sanctions and Penalties for Illicit Drug and Alcohol Use**

## **Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance**

### **21 U.S.C. 844(a)**

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

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

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

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

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

### **21 U.S.C. 853(a)(2) and 881(a)(7)**

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

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

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

### **21 U.S.C. 844a**

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

### **21 U.S.C. 853a**

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for

first offense, up to 5 years for second and subsequent offenses.  
**18 U.S.C. 922(g)**

Ineligible to receive or purchase a firearm.

**Miscellaneous**

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

**Note:** These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply. Refer to West Virginia Code maintained in the school's main office.

## STATE OF PENNSYLVANIA CODE

### SUMMARY OF ALCOHOL RELATED STATUTES

The following represents a summary of relevant statutes from the Pennsylvania Crimes Code (Title 18) and the Pennsylvania Liquor Code (Title 47) for alcohol related offenses:

1. A person, under the age of 21, commits a summary offense if he/she attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages. Maximum fine \$300 plus court costs and mandatory loss of your drivers license for 90 days for a first offense, one year for a second offense and two years subsequent offenses. Police officers making an arrest for this offense are obligated to notify the parents or guardians of the minor charged (Pa C.S.A. 6308).
2. A person is guilty of a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violations if he/she is under the age of 21 and knowingly and falsely represents him/herself to be 21 years of age or older, for the purpose of obtaining any liquor or malt or brewed beverages. Maximum fine is \$500 plus court costs and loss of driver's license(Pa C.S.A. 6307).
3. A person is guilty of a misdemeanor of the third degree if he/she knowingly, willfully, and falsely represents to any licensed dealer, or other person, that a minor is of legal age for the purpose of inducing a person to sell or furnish any liquor, malt or brewed beverages. The minimum penalty is a fine of not less than \$300 (Pa C.S.A. 6309).
4. A person commits a misdemeanor of the third degree if he/she intentionally and knowingly sells or intentionally and knowingly furnishes, or purchases with the intent to sell or furnish, any liquor or malt or brewed beverages to a person who is less than 21 years or age. Minimum penalty for violating this subsection is a fine not less than \$1000 for the first violation and a fine of \$2500 for each subsequent violation plus court costs (Pa C.S.A. 6310.1A).
5. A person commits a misdemeanor of the second degree if he/she intentionally, knowingly or recklessly manufactures, makes, alters, sells or attempts to sell an identification card falsely representing the identity, birth date or age of another. Minimum penalty is a fine of not less than \$1000 for the first violation and a fine of not less than \$2500 for each subsequent violation (Pa C.S.A. 6310.2).
6. A person commits a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violation if he/she, is under 21 years of age and possesses an identification card that falsely identifies the person as being 21. It is also a violation to use the identification card of another individual. Minimum penalty is a fine not more than \$500 plus court costs (Pa C.S.A. 6310.3).
7. It is unlawful for any person who is an operator or any occupant in a motor vehicle to be in possession of an open alcoholic beverage container or to consume any alcoholic

beverages or controlled substances. This is a summary offense with a maximum penalty of \$300 (Pa C.S.A. 7513).

8. A person is guilty of a summary offense if he/she appears in any public place under the influence of alcohol or a controlled substance. Penalty is a maximum fine of \$300 plus court costs (Pa C.S.A. 5505).

9. A minor (under 21 years of age) shall not drive, operate or be in physical control of a motor vehicle while having alcohol in his/her system. This is a summary offense with a fine of \$100 (Pa C.S.A. 3718).

10. A person shall not drive, operate or be in physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance to a degree that renders the person incapable of safe driving. For an individual who is 21 years of age or older, the Blood Alcohol Content is .08, for a minor under 21, the Blood Alcohol Content is .02. It is a misdemeanor of the second degree for a first offense.

## **SUMMARY OF ALCOHOL RELATED STATUTES**

***Commonwealth of Pennsylvania Law***- State law prohibits, among other things, the unauthorized manufacture, sale, delivery and possession of controlled substances. Consistent with federal law, Pennsylvania classifies controlled substances according to Schedules I through V. Penalties vary according to the type of controlled substance involved. For a simple possession of a small amount of marijuana (misdemeanor), persons may be subject to 30 days imprisonment and a \$500 fine. A person may be subject to a maximum of 15 years imprisonment and a \$25,000 fine for the manufacture, delivery or possession of a Schedule I or II controlled drug such as cocaine, PCP or LSD (felony). Sentences can be doubled for second and subsequent offenses. Sentences can also be doubled for distribution of controlled offenses to persons under the age of eighteen. Penalties range from a mandatory minimum sentence of seven years and a \$50,000 fine for subsequent convictions for the manufacture, delivery or possession of 100 grams or more of a Schedule I or II controlled narcotic drug.