

**Drug-Free Schools and Communities Act [EDGAR Part 86]  
Student Annual Notification | 2022-2023**

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As a requirement of the Drug-Free Schools and Communities Act [EDGAR Part 86] regulations, the University of Washington Tacoma (UW Tacoma) is to disseminate and ensure receipt of the below policy/information to all students, staff, and faculty on an annual basis. Questions concerning this policy and/or alcohol and other drug programs, interventions, and policies may be directed to the Health Promotion Specialist/Health Educator, Madeline Brown, MS at [madieb@uw.edu](mailto:madieb@uw.edu) or (253)-692-4750.

**Distribution of the Drug-Free Schools and Communities Act [EDGAR Part 86] Student Annual Notification**

The UW Tacoma aims to inform all students and employees of the standards of conduct, laws pertaining to illicit drugs and alcohol, the health risks thereof, possible disciplinary sanctions relating to illicit drugs and alcohol, and a list of available resources for addressing illicit drug and alcohol use through the distribution of the Drug-Free Schools and Communities Act [EDGAR Part 86] Student Annual Notification. The UW Tacoma has developed a comprehensive Student Annual Notification distribution process explained below.

The UW Tacoma engages in multiple communication methods to reach all students enrolled in at least one credit to inform of the Student Annual Notification. All students receive an email containing an explanation and link to the Drug-Free Schools and Communities Act [EDGAR Part 86] Student Annual Notification from the Health Promotion Specialist or their designee after the last date to add courses each quarter.

Additionally, the Drug-Free Schools and Communities Act [EDGAR Part 86] Student Annual Notification is posted on the [UW Tacoma website](#). The Annual Notification is also on file at Psychological and Wellness Services, and posted to the Psychological and Wellness Services department's social media platforms, Facebook and Instagram, once each quarter. The UW Tacoma will continue to seek out innovative dissemination strategies.

## **Alcohol and Drug Resources**

### **Counseling**

Psychological and Wellness Services (PAWS) provides free and confidential mental health and substance use counseling and related services for currently enrolled UW Tacoma students. PAWS provides intentional, problem-focused mental health counseling aimed at building better skills and exploring alternative ways of coping; confidential crisis, individual, couples, and group counseling; and referrals (when appropriate) to community mental health and social service providers and other UW Tacoma student services and resources. Services are offered both in-person in MAT 354 and via telehealth for the 2021-2022 academic year. Students begin accessing services by calling (253)-692-4522 or emailing [uwtpaws@uw.edu](mailto:uwtpaws@uw.edu) between 8 am and 1 pm for same-day Drop-In appointment.

Students may also utilize MySSP to access real-time, confidential mental health support, 24/7 and in multiple languages: Simplified Chinese, Korean, Arabic, Spanish & French. MySSP counselors are licensed mental health therapists who are familiar with UW Tacoma resources. Students can call 1.866.743.7732

(students outside the U.S. or Canada should dial 001.416.380.6578) or chat online at <https://myssp.app/ca/home> to speak with a MySSP counselor. Students are encouraged to download the MySSP app on the Apple Store and Google Play.

### **Treatment**

Substance use treatment services are not offered on campus but can be obtained in the Tacoma community. The Sea Mar Community Health Centers Tacoma Treatment Center offers a substance use disorder residential program for stabilization and recovery skill development for adults who have a substance use disorder. Contact Tacoma Treatment Center (253)-280-9860 and learn more at <https://www.seamar.org/pierce-bh-tacoma-treatment.html>.

### **Rehabilitation**

Rehabilitation services are not offered on campus. Bayview Recovery Center is a drug rehabilitation center in Tacoma that provides intensive outpatient services, medication assisted treatment, dual diagnosis treatment, partial hospitalization services, and addiction therapy. Learn more by calling (855)-345-0744 or visiting <https://www.bayviewrecovery.com/>.

### **Re-entry Program**

If a respondent of an alcohol and other drugs violation withdraws from the University (or fails to re-enroll) before completing a sanction, the sanction must be completed prior to or upon the respondent's reenrollment, depending on the nature of the sanction. Completion of disciplinary sanctions may be considered in applications for readmission to the University. Students in the re-entry pathway must meet with the Director of Student Conduct & Advocacy on an ongoing basis to establish and continue on a success plan.

### **Prevention and Education**

The UW offers eCheckUp To Go, a free, confidential, online self-assessment offering personalized feedback on individual alcohol use patterns and how use might affect health and personal goals at <https://echeckup.sdsu.edu/usa/alc/coll/uwashington/#!/>. Individual feedback includes tolerance, potential impacts of family history, personalized strategies to help reduce harm, and campus resources.

UW Tacoma students may view the [Alcohol & Other Drugs webpage](#) for information on standard drink measurements and blood alcohol concentration, how to be an active bystander in an instance of acute alcohol poisoning, strategies to prevent alcohol-related harms, and to access campus and community resources.

Students can request group-based [alcohol and drug education workshops](#) that follow a harm reduction approach and focus on actual social norms, active bystander intervention in the context of alcohol poisoning, strategies to prevent and mitigate alcohol-related harms, and resources.

## **Alcohol and Drug Policies & Sanctions**

Students must respect the rights, privileges, and property of other members of the academic community and visitors to the campus, and refrain from any conduct that would interfere with University functions or endanger the health, welfare, or safety of other persons. Admission to the University of Washington carries the expectation that students will conduct themselves as responsible members of the academic

community. All students assume responsibility to observe standards of conduct that will contribute to the pursuit of academic goals and to the welfare of the academic community.

As an academic community, the UW Tacoma is committed to providing an environment in which scholarship and learning can safely flourish. Therefore, the illegal possession, use, consumption, manufacture, and distribution of federally defined illegal drugs, or controlled substances, is not permitted. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the University environment, as well as the individual potential of our students and staff. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

- A. Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
- B. Distribution, possession, or use of illegal drugs or controlled substances.
- C. Possession of firearms or other dangerous weapons.

### University of Washington Alcohol and Drug Policies

*WAC 478-121-115* Alcohol violations. The unlawful possession, use, distribution, or manufacture of alcohol.

*WAC 478-121-127* Drug violations. The possession, use, distribution, or manufacture of controlled substances (as defined in [chapter 69.50 RCW or 21 U.S.C. Sec. 802](#)) on university premises or during university-sponsored activities where such possession, use, distribution, or manufacture is illegal under federal, state, or local law is prohibited. This includes the possession, use, distribution, or growing of marijuana in all forms during university-sponsored activities or on university premises, including university housing.

*Amnesty for Alcohol or Other Drug Violations:* A conduct officer may elect not to initiate a conduct proceeding regarding alcohol or other drug violations against a student who, while in the course of helping another student seek medical assistance, admits to the unlawful possession or use of alcohol or drugs, provided that the possession was for personal consumption and the use did not place the health or safety of any other person at risk. The University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

### University of Washington Alcohol and Drug Sanctions

The UW Tacoma will impose disciplinary sanctions on students in violation of the standards of conduct. Sanctions are intended to provide educational opportunities and accountability while also reducing the likelihood of future prohibited conduct. Sanctions may include administrative, educational, and restorative components. Some conduct, however, is so egregious in nature, or so damaging to the educational environment that it requires more serious sanctions, up to and including suspension or expulsion and referral for prosecution. One or more of the following sanctions for UW Tacoma alcohol and drug related policy violations may be imposed:

- Disciplinary reprimand
- Disciplinary probation
- Restitution

- Loss of privileges
- Suspension
- Dismissal

In determining an appropriate sanction for a violation of the student conduct code, factors that may be considered include, but are not limited to:

- The seriousness, severity, persistence, or pervasiveness of the prohibited conduct;
- The nature or violence (if applicable) of the prohibited conduct;
- The impact on the complainant and/or University community;
- The respondent's past disciplinary record with the University;
- Whether the respondent has accepted responsibility for the prohibited conduct;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to learning; and/or
- Any other mitigating, aggravating, or compelling factors that the presiding officer determines to be relevant and admissible.

The use of alcohol or drugs by a respondent will not be considered a mitigating factor in imposing discipline.

Students are also subject to city ordinances, and state and federal law, and may also experience legal sanctions in addition to University sanctions for the same incident.

## Laws Regarding Alcohol and Other Drugs

### City of Tacoma Laws for Alcohol and Drug Offenses

*8.06.050 Reckless operation – Under influence of narcotics or liquor.* It shall be unlawful for any person to operate an aircraft in the air, or on the ground or water, while under the influence of intoxicating liquor, narcotics, or other habit-forming drug, or to operate an aircraft in the air or on the ground or water, in a careless manner so as to endanger the life or property of another. In any proceeding charging careless or reckless operation of aircraft in violation of this section, the court, in determining whether the operation was careless or reckless, may consider the standards for safe operation of aircraft prescribed by Federal statutes or regulations governing aeronautics.

*8.20.050 Consumption in public place.* Except as permitted by the Washington State Liquor Act, no person in a public place shall open a package containing liquor, possess an opened package containing liquor, or consume liquor. Every person who violates any provision of this section shall be guilty of a civil infraction and shall be fined not more than \$100, which includes all statutory assessments. Whenever any person is stopped for a violation of this section, the officer may detain that person for a reasonable period of time necessary to identify the person and check for outstanding warrants.

*8.20.060 Sale to intoxicated person prohibited.* No person shall sell any liquor to any person apparently under the influence of liquor.

*8.20.075 Alteration of identity cards.* No person may forge, alter, counterfeit, otherwise prepare or acquire and supply to a person under the age of 21 years a facsimile of any of the officially issued cards of identification that are required for presentation under RCW 66.16.040. A violation of this section is a

gross misdemeanor punishable as provided by RCW 9A.20.021, except that a minimum fine of \$2,500.00 shall be imposed.

*8.20.080 Procuring liquor for ineligible person prohibited.* Except in the case of liquor administered by a physician or dentist or sold upon a prescription in accordance with the provisions of the Washington State Liquor Act, no person shall procure or supply, or assist directly or indirectly in procuring or supplying liquor for or to anyone whose permit is suspended or has been canceled.

*8.20.090 Taking orders for liquor prohibited.* Except as provided in Section 42 of the Washington State Liquor Act (RCW 66.28.050), no person shall canvass for, solicit, receive, or take orders for the purchase or sale of any liquor, or act as agent for the purchase or sale of liquor.

*8.20.110 Allegation in words of chapter.* The description of any offense under this chapter, in the words of this chapter, or in any words of like effect, shall be sufficient in law; and any exception, exemption, provision, excuse or qualification, whether it occurs by way of provision or in the description of the offense in this chapter, may be proved by the defendant; but need not be specified or negated in the complaint; but if it is so specified or negated, no proof in relation to the matter so specified or negated shall be required on the part of the complainant.

*8.20.120 Proof of sale.* In any proceeding under this chapter, proof of one unlawful sale of liquor shall suffice to establish prima facie the intent or purpose of unlawfully keeping liquor for sale in violation of this chapter.

*8.20.130 Acting without license unlawful.* Every person doing any act required to be licensed under the Washington State Liquor Act without having in force a license issued to him under that act shall be guilty of a misdemeanor.

*8.20.140 Sale by drink or bottle.* Every person who shall sell by the drink or bottle any liquor other than as permitted by the Washington State Liquor Act or by the rules and regulations of the Washington State Liquor Control Board shall be guilty of a misdemeanor.

*8.20.150 Sale by bottle or package.* Except as otherwise provided in the Washington State Liquor Act, every person who shall sell any liquor, other than beer, by the bottle or package, or who shall own or operate any still, shall be guilty of a misdemeanor.

*8.20.170 State license required.* No person other than those duly licensed under the Washington State Liquor Act shall keep liquor for the purpose of sale. The possession of liquor other than beer or wine in a place licensed to sell beer and/or wine only shall be presumptive evidence that the same is kept for the purpose of sale.

*8.20.180 Possession with intent to sell.* Any person who shall keep or possess liquor on premises conducted or maintained by him as principal or agent, with the intent to sell the same contrary to provisions of this chapter, shall be guilty of a misdemeanor. The possession of liquor by such principal or agent on premises conducted or maintained under Federal authority as a retail dealer in liquors shall be prima facie evidence of the intent to sell liquor.

*8.20.190 Regulation of club hours.* Any owner, manager, operator or employee of any club, as defined herein, who shall furnish or cause to be furnished liquor, or who shall prepare and serve liquor, or who shall provide mixers, beverages, sodas, ice or water, for the purpose of preparing drinks of liquor on the

premises to any member, patron or other person in any room of such club not a place of residence therein between 12:00 midnight on Saturday and 6:00 a.m. on the following Monday; or upon any other weekday between 1:00 a.m. and 6:00 a.m., unless otherwise permitted by the laws of the State of Washington and the rules, regulations and the permits thereunder of the Washington State Liquor Control Board, shall be guilty of a misdemeanor.

*8.20.200 Consumption of liquor in clubs.* Any member, patron or other person who shall consume liquor in any club in a room not a place of residence therein between 12:00 midnight on Saturday and 6:00 a.m. on the following Monday; or upon any otherwise permitted by the laws of the State of Washington and the rules, regulations and the permits thereunder of the Washington State Liquor Control Board, shall be guilty of a misdemeanor.

*8.20.210 Disorderly clubs.* Any club in which the owner, manager, operator or employee thereof shall allow or permit rooms which are not places of residence therein to remain open to any member, patron or other person for the purpose of consumption of liquor between 12:00 midnight on Saturday and 6:00 a.m. on the following Monday; or upon any other weekday between 1:00 a.m. and 6:00 a.m., unless otherwise permitted by the laws of the State of Washington and the rules, regulations and the permits thereunder of the Washington State Liquor Control Board, is hereby declared to be a disorderly place. Any person found therein at such time shall be guilty of a misdemeanor.

*8.20.230 Age of employees.* Employers holding class E and/or F licenses, exclusively, are permitted to allow their employees between the ages of 18 and 21 to sell, stock, and handle beer or wine in, on, or about any establishment holding a class E and/or class F license, exclusively; provided that there is an adult 21 years of age or older on duty supervising the sale of liquor at the licensed premises; and provided that minor employees may make deliveries of beer and/or wine purchased from licensees holding class E and/or class F licenses, exclusively, when delivery is made to customers' cars when such cars are located adjacent to such licensed premises, but only, when the minor employee is accompanied by the purchaser.

*8.20.270 Deliveries on Sunday.* It shall be unlawful for any person or persons to deliver beer on Sunday after 8:00 a.m.

*8.20.280 Use of sidewalk.* It shall be unlawful for any manufacturer, distributor or wholesaler to deposit, place, keep or leave, or for any retail licensee to permit the placing, keeping or storage of beer kegs or other beer or wine containers in front, or on any sidewalk, of any licensed retail premises.

*8.20.290 Advertising restrictions.* The passing of money or other valuable consideration by a manufacturer, distributor or beer wholesaler to a retailer, directly or indirectly, for advertising space in or upon the property of the said retailer is hereby prohibited; likewise the passing of money or other valuable consideration by a manufacturer, distributor or beer wholesaler, directly or indirectly, to any person, to pay, in whole or in part, for advertising of any nature on behalf of a retailer, or from which a retailer may or will derive any advertising benefits, or which bears the name or address or other description of a retailer, is hereby prohibited; nor shall the name of a retailer appear in or as part of or supplementary to the advertising of a manufacturer, distributor or beer wholesaler. No signs or other matter advertising beer and/or wine or any brands thereof, or using the words "bar," "barroom," "saloon," or words of like or similar import, shall be erected or placed upon the outside of any building in which beer and/or wine is licensed to be sold at retail, or in close proximity thereto, and no

advertisement whatsoever shall contain the words "bar," "barroom," "saloon," or words of like or similar import. Signs or other advertising matter within the licensed premises of the retailer shall not be of an obnoxious, gaudy, blatant or offensive nature and shall in no manner obstruct the view of the interior of the premises from the street, and shall be limited to illuminated or unilluminated signs, not to exceed in area 630 square inches, and no one dimension to exceed 42 inches. In no case shall any sign or other advertising matter obstruct more than one-third of the total area of a display window. Any sign so displayed shall be paid for by the retail licensee; provided, however, a manufacturer, distributor or beer wholesaler may furnish to retail dispensers a sign, not exceeding the area and dimensions herein prescribed, bearing only the name of the manufacturer, distributor or beer wholesaler and/or the trade or copyrighted name or brand of the product.

*8.20.295 Underage persons frequenting taverns – Misrepresentation of age.* It shall be a violation of this chapter: A. To serve or allow to remain on the premises of any tavern any person under the age of 21 years; B. For any person under the age of 21 years to enter or remain on the premises of any tavern; C. For any person under the age of 21 years to represent his age as being 21 or more years for the purpose of securing admission to or remaining on the premises of any tavern.

*8.20.310 Violation – Penalties.* Every person guilty of a violation of any of the provisions of this chapter for which no penalty is specifically prescribed shall be guilty of a misdemeanor and, on conviction, shall be subject to a penalty of not more than \$1,000.00 or to imprisonment in the Pierce County Jail for not more than 90 days, or to both such fine and imprisonment.

*8.27.080 Intoxicating liquors and marijuana.* The display, possession, or consumption of intoxicating liquors in any park is prohibited, except in particular areas or facilities which may be expressly designated from time to time by the Director. A person who violates this section shall be guilty of a class 2 civil infraction not including statutory assessments. The opening of a package containing marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, or consuming marijuana, useable marijuana, marijuana-infused products, or marijuana concentrates, in any park is prohibited. "Marijuana" means marijuana as defined by RCW 69.50.101 as now or hereafter amended. A person who violates this section shall be guilty of a class 3 civil infraction, not including statutory assessments. Whenever any person is stopped for a violation of this section, the officer may detain that person for a reasonable period of time necessary to identify the person and check for outstanding warrants.

*8.27.085 Smoking and vaping in parks prohibited.* It is unlawful for any person to smoke or vape any product derived from or containing nicotine within a park, unless the product has been approved by the United States Food and Drug Administration as a tobacco cessation product, such as transdermal nicotine patches, nicotine gum and nicotine lozenges, or for the other medically approved purposes and is being used for that approved purpose. For the purposes of this section, "smoke" or "smoking" means the carrying, holding, or smoking of any kind of lighted pipe, cigar, cigarette, or any other object that is lighted and used for smoking. A violation of this section is a class 4 civil infraction, not including statutory assessments. Such penalty is in addition to any other remedies or penalties provided by law.

*8.28.015 Presence where drugs kept.* It shall be unlawful for any person to be in a place knowing that any dangerous drug is being illegally kept, illegally used, or illegally sold therein. It shall be presumed that any person present where any dangerous drug is illegally kept, illegally used, or illegally sold is there with knowledge of the presence of the dangerous drug; provided, however, unless flight by the actor or other circumstance makes it impracticable, a peace officer shall, prior to any arrest for an offense under

this section, afford the actor an opportunity to explain his presence and conduct. No person shall be convicted of an offense under this section if the peace officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the actor was true and the person, in fact, had no knowledge of the presence of the dangerous drug.

*8.29.060 Illegal conduct.*

A. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance other than marijuana. Any person who violates this subsection is guilty of a misdemeanor.

B. It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance other than marijuana. Any person who violates this subsection is guilty of a misdemeanor.

C. Any person 18 years of age or over who violates subsection B of this section by delivering drug paraphernalia to a person under 18 years of age who is at least three years his junior is guilty of a gross misdemeanor.

D. It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of drug paraphernalia. Any person who violates this subsection is guilty of a misdemeanor.

E. Every person who sells or gives, or permits to be sold or given to any person, any drug paraphernalia in any form commits a class I civil infraction under chapter 7.80 RCW. For purposes of this subsection, "drug paraphernalia" means all equipment, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance other than marijuana. Drug paraphernalia includes, but is not limited to, objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing cocaine into the human body, such as: 1. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, or punctured metal bowls; 2. Water pipes; 3. Carburetion tubes and devices; 4. Smoking and carburetion masks; 5. Miniature cocaine spoons and cocaine vials; 6. Chamber pipes; 7. Carburetor pipes; 8. Electric pipes; 9. Air-driven pipes; and 10. Ice pipes or chillers. F. It shall be no defense to a prosecution for a violation of subsection E that the person acted, or was believed by the defendant to act, as agent or representative of another. G. Nothing in subsection E of this section prohibits legal distribution of injection syringe equipment through public health and community-based HIV prevention programs, and pharmacies.

*8.30.045 Cannabis.* The production, manufacture, processing, delivery, distribution, possession, or use of cannabis for medical purposes for which there is an affirmative defense under state law, or for other purposes as outlined and regulated in accordance with RCW 69.50, may be a nuisance by unreasonably annoying, injuring, or endangering the comfort, repose, health, or safety of others; by being



unreasonably offensive to the senses; by being an unlawful act; by resulting in an attractive nuisance; or by otherwise violating the municipal code or state law. The following specific acts, omissions, places, and conditions are declared to be a public nuisance, including, but not limited to, any one or more of the following:

1. Any place selling, distributing, or providing marijuana to others, except as properly licensed or registered by the Washington State Liquor and Cannabis Board, is a nuisance per se.
2. Any state-licensed processor, producer, or licensed retailer where cannabis is displayed against or adjacent to exterior windows.
3. Any state-licensed processor, producer, retailer, or state registered cooperative where the odor of cannabis can be smelled or detected from the adjacent public right-of-way.
4. A marijuana club is a nuisance per se.
5. Any place where any production, manufacture, processing, delivery, distribution, possession, or use of cannabis occurs for which there is no affirmative defense under state law, or except as expressly authorized by Chapter 69.50 RCW.
6. Any place other than a private residence where cannabis is smoked or ingested.
7. Any state-licensed cannabis retailer, processor, or producer where any person under the age of 21 years is present or is permitted to be present, unless permitted by state law.
8. Any state-licensed retailers selling products or services other than useable marijuana, marijuana-infused products, or paraphernalia intended for the storage or use of useable marijuana or marijuana-infused products.
9. Any unlicensed marijuana retailer, producer, researcher, or processor operating within City limits.
10. Any state-licensed producer whose production activities are not within a fully enclosed, secure facility or greenhouse with rigid walls, a roof and doors, or whose outdoor production activities are not enclosed by a sight obscured wall or fence at least eight feet high.

*8.32.030 Place where alcoholic beverages sold.* The owner, manager, or operator of premises open to the public, wherein alcoholic beverages are sold, served, or consumed, is guilty of permitting indecent conduct if he or she intentionally permits or causes any indecent act on said premises.

*8.52.020 Unlawful transit conduct.* A person is guilty of unlawful transit conduct if, while on or in a municipal transit vehicle as defined by RCW 46.04.355 as now or hereafter amended or reenacted, or in or at a municipal transit station, he or she: 1. Smokes or carries a lighted or smoldering pipe, cigar, or cigarette, or uses an electronic smoking device, unless he or she is smoking or using the electronic smoking device in an area designated and authorized by the transit authority. For purposes of this subsection, "electronic smoking device" means an electronic or battery-operated device, the use of which resembles smoking, which can be used to deliver nicotine or other substances to the person inhaling from the device. The definition includes, but is not limited to, an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, and electronic hookah; 6. Consumes or is under the influence of any intoxicating beverage or illicit drug.

*8.72.010 Loitering with the intent of engaging in drug-related activity.*

A. It is unlawful for any person to loiter in or near any thoroughfare, place open to the public, or near any public or private place in a manner and under circumstances manifesting the intent to engage in drug-related activity contrary to any of the provisions of Chapters 69.41, 69.50, or 69.52 RCW.

B. Among the circumstances which may be considered in determining whether such intent is manifested are:

1. Such person is a known unlawful drug user, possessor, or seller. For purposes of this chapter, a "known unlawful drug user, possessor, or seller" is a person who has been convicted in any court within this state of any violation involving the use, possession, or sale of any of the substances referred to in Chapters 69.41, 69.50, and 69.52 RCW, or substantially similar laws of any political subdivision of this state or of any other state; or a person who displays physical characteristics of drug intoxication or usage, such as "needle tracks"; or a person who possesses drug paraphernalia as defined in Section 8.29 of the Official Code of the City of Tacoma;
2. Such person is currently subject to an order prohibiting his/her presence in a high drug activity geographic area;
3. Such person behaves in such a manner as to raise a reasonable suspicion that he or she is about to engage in or is then engaged in an unlawful drug-related activity, including by way of example only, such person acting as a "lookout";
4. Such person is physically identified by the officer as a member of a "gang," or association which has as its purpose illegal drug activity;
5. Such person transfers small objects or packages for currency in a furtive fashion;
6. Such person takes flight upon the appearance of a police officer;
7. Such person manifestly endeavors to conceal himself or herself or any object which reasonably could be involved in an unlawful drug-related activity;
8. The area involved is by public repute known to be an area of unlawful drug use and trafficking;
9. The premises involved are known to have been reported to law enforcement as a place suspected of drug activity pursuant to Chapter 69.52 RCW;
10. Any vehicle involved is registered to a known unlawful drug user, possessor, or seller, or a person for whom there is an outstanding warrant for a crime involving drug-related activity.

*8.110.020 Unlawful inhalation – Exception.* It is unlawful for any person to intentionally smell or inhale the fumes of any type of substance as defined in this chapter, or to induce any other person to do so, for the purpose of causing a condition of, or inducing symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses of the nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes. This section does not apply to the inhalation of any anesthesia for medical or dental purposes.

*8.110.030 Possession of certain substances prohibited, when.* No person may, for the purpose of violating this chapter, use, or possess for the purpose of so using, any substance containing a solvent having the property of releasing toxic vapors or fumes.

*8.110.040 Sale of certain substances prohibited, when.* No person may sell, offer to sell, deliver, or give to any other person any container of a substance containing a solvent having the property of releasing toxic vapors or fumes, if he has knowledge that the product sold, offered for sale, delivered, or given will be used for the purpose set forth in TMC 8.110.020

*8.140.020 Limitations on sales, purchases, and possession.*

A. Limit on Sales. No retailer shall knowingly sell to a single customer, in any 24-hour period, more than three packages of a product containing ephedrine in counts of 48 or less per package, or containing a

total weight of more than 3 grams of ephedrine per package. Ephedrine products may only be sold in packages containing a maximum count of up to 48.

B. Limit on Purchase. No customer shall purchase or acquire, in any 24-hour period, more than three packages of a product containing ephedrine in counts of 48 or less per package, or containing a total weight of more than 3 grams of ephedrine per package.

C. Limit on Total Possession. No person shall be in possession of more than 15 grams of ephedrine.

## City of Tacoma Penalties for Alcohol and Drug Offenses

### *8.01.010 Penalty provision.*

A. The maximum penalty for any criminal offense under the Tacoma Municipal Code shall be the same as the maximum penalty provided in Washington State law for the same or similar offense, and where the maximum penalty provided under the Tacoma Municipal Code is inconsistent with the maximum penalty as provided pursuant to State law, such maximum penalty as provided under State law shall prevail.

D. Every person convicted of a gross misdemeanor for which no punishment is prescribed in any statute or ordinance in force at the time of conviction and sentence shall be punished by imprisonment for a maximum term fixed by the court of not more than one year or by a fine in an amount fixed by the court of not more than \$5,000, or by both such imprisonment and fine.

E. Every person convicted of a misdemeanor for which no punishment is prescribed by any statute or ordinance in force at the time of conviction and sentence shall be punished by imprisonment for a maximum term fixed by the court of not more than 90 days or by a fine in an amount fixed by the court of not more than \$1,000, or both such imprisonment and fine.

## State of Washington Legal Sanctions for Alcohol and Drug Offenses

### *RCW 46.61.502 Driving under the influence.*

(1) A person is guilty of driving while under the influence of intoxicating liquor, marijuana, or any drug if the person drives a vehicle within this state:

(a) And the person has, within two hours after driving, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW [46.61.506](#); or

(b) The person has, within two hours after driving, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW [46.61.506](#); or

(c) While the person is under the influence of or affected by intoxicating liquor, marijuana, or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor, marijuana, and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state shall not constitute a defense against a charge of violating this section.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of alcohol after the time of driving and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of

marijuana after the time of driving and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by marijuana in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class B felony punishable under chapter [9.94A](#) RCW, or chapter [13.40](#) RCW if the person is a juvenile, if:

(a) The person has three or more prior offenses within ten years as defined in RCW [46.61.5055](#); or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW [46.61.520](#)(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW [46.61.522](#)(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW [46.61.504](#)(6).

*RCW 46.61.503 Driver under twenty-one consuming alcohol or marijuana—Penalties.*

(1) Notwithstanding any other provision of this title, a person is guilty of driving or being in physical control of a motor vehicle after consuming alcohol or marijuana if the person operates or is in physical control of a motor vehicle within this state and the person:

(a) Is under the age of twenty-one; and

(b) Has, within two hours after operating or being in physical control of the motor vehicle, either:

(i) An alcohol concentration of at least 0.02 but less than the concentration specified in RCW [46.61.502](#), as shown by analysis of the person's breath or blood made under RCW [46.61.506](#); or

(ii) A THC concentration above 0.00 but less than the concentration specified in RCW [46.61.502](#), as shown by analysis of the person's blood made under RCW [46.61.506](#).

(2) It is an affirmative defense to a violation of subsection (1) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of alcohol or marijuana after the time of driving or being in physical control and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol or THC concentration to be in violation of subsection (1) of this section within two hours after driving or being in physical control. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the earlier of: (a) Seven days prior to trial; or (b) the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(3) No person may be convicted under this section for being in physical control of a motor vehicle and it is an affirmative defense to any action pursuant to RCW [46.20.308](#) to suspend, revoke, or deny the

privilege to drive, if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

(4) Analyses of blood or breath samples obtained more than two hours after the alleged driving or being in physical control may be used as evidence that within two hours of the alleged driving or being in physical control, a person had an alcohol or THC concentration in violation of subsection (1) of this section.

(5) A violation of this section is a misdemeanor.

*RCW 46.61.504 Physical control of vehicle under the influence.*

(1) A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if the person has actual physical control of a vehicle within this state:

(a) And the person has, within two hours after being in actual physical control of the vehicle, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after being in actual physical control of a vehicle, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state does not constitute a defense against any charge of violating this section. No person may be convicted under this section and it is an affirmative defense to any action pursuant to RCW 46.20.308 to suspend, revoke, or deny the privilege to drive if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section which the defendant must prove by a preponderance of the evidence that the defendant consumed a sufficient quantity of alcohol after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after being in such control. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of marijuana after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after being in control of the vehicle. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in such control, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in control of the vehicle, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by marijuana in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class C felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has three or more prior offenses within ten years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.502(6).

*RCW 66.44.270* Furnishing liquor to minors—Possession, use—Penalties—Exhibition of effects—Exceptions.

(1) It is unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. For the purposes of this subsection, "premises" includes real property, houses, buildings, and other structures, and motor vehicles and watercraft. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter 9A.20 RCW.

(2)(a) It is unlawful for any person under the age of twenty-one years to possess, consume, or otherwise acquire any liquor. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter 9A.20 RCW.

(b) It is unlawful for a person under the age of twenty-one years to be in a public place, or to be in a motor vehicle in a public place, while exhibiting the effects of having consumed liquor. For purposes of this subsection, exhibiting the effects of having consumed liquor means that a person has the odor of liquor on his or her breath and either: (i) Is in possession of or close proximity to a container that has or recently had liquor in it; or (ii) by speech, manner, appearance, behavior, lack of coordination, or otherwise, exhibits that he or she is under the influence of liquor. This subsection (2)(b) does not apply if the person is in the presence of a parent or guardian or has consumed or is consuming liquor under circumstances described in subsection (4), (5), or (7) of this section.

(3) Subsections (1) and (2)(a) of this section do not apply to liquor given or permitted to be given to a person under the age of twenty-one years by a parent or guardian and consumed in the presence of the parent or guardian. This subsection shall not authorize consumption or possession of liquor by a person under the age of twenty-one years on any premises licensed under chapter 66.24 RCW.

(4) This section does not apply to liquor given for medicinal purposes to a person under the age of twenty-one years by a parent, guardian, physician, or dentist.

(5) This section does not apply to liquor given to a person under the age of twenty-one years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.

(6) This section does not apply to liquor provided to students under twenty-one years of age in accordance with a special permit issued under RCW 66.20.010(12).

(7)(a) A person under the age of twenty-one years acting in good faith who seeks medical assistance for someone experiencing alcohol poisoning shall not be charged or prosecuted under subsection (2)(a) of this section, if the evidence for the charge was obtained as a result of the person seeking medical assistance.

(b) A person under the age of twenty-one years who experiences alcohol poisoning and is in need of medical assistance shall not be charged or prosecuted under subsection (2)(a) of this section, if the evidence for the charge was obtained as a result of the poisoning and need for medical assistance.

(c) The protection in this subsection shall not be grounds for suppression of evidence in other criminal charges.

(8) Conviction or forfeiture of bail for a violation of this section by a person under the age of twenty-one years at the time of such conviction or forfeiture shall not be a disqualification of that person to acquire a license to sell or dispense any liquor after that person has attained the age of twenty-one years.

*RCW 66.44.150* Buying liquor illegally.

If any person in this state buys alcoholic beverages from any person other than a person authorized by the board to sell alcoholic beverages, he or she is guilty of a misdemeanor.

*RCW 66.44.160* Illegal possession, transportation of alcoholic beverages.

Except as otherwise provided in this title, any person who has or keeps or transports alcoholic beverages other than those purchased from the board, a state liquor store, or some person authorized by the board to sell them, shall be guilty of a violation of this title.

*RCW 66.44.210* Obtaining liquor for ineligible person.

Except in the case of liquor administered by a physician or dentist or sold upon a prescription in accordance with the provisions of this title, no person shall procure or supply, or assist directly or indirectly in procuring or supplying, liquor for or to anyone whose permit is suspended or has been canceled.

*RCW 66.28.210* Keg registration—Requirements of purchaser.

(1) Except as provided in subsection (2) of this section, any person who purchases the contents of kegs or other containers containing four gallons or more of malt liquor, or purchases or leases the container shall:

(a) Sign a declaration and receipt for the keg or other container or beverage in substantially the form provided in RCW 66.28.220;

(b) Provide one piece of identification pursuant to \*RCW 66.16.040;

(c) Be of legal age to purchase, possess, or use malt liquor;

(d) Not allow any person under the age of twenty-one to consume the beverage except as provided by RCW 66.44.270;

(e) Not remove, obliterate, or allow to be removed or obliterated, the identification required under rules adopted by the board;

(f) Not move, keep, or store the keg or its contents, except for transporting to and from the distributor, at any place other than that particular address declared on the receipt and declaration; and

(g) Maintain a copy of the declaration and receipt next to or adjacent to the keg or other container, in no event a distance greater than five feet, and visible without a physical barrier from the keg, during the time that the keg or other container is in the purchaser's possession or control.

(2) A person who purchases the contents of a keg or other container containing four gallons or more of malt liquor from a domestic brewery licensed under RCW 66.24.240 or a microbrewery licensed under

RCW 66.24.244, or who purchases or leases a keg or other container that will hold four gallons or more of liquid from such a domestic brewery or microbrewery, is not subject to this section except for the requirements in subsection (1)(c) and (d) of this section.

(3) A violation of this section is a gross misdemeanor.

For an exhaustive list of Washington state alcohol and drug laws and penalties, visit the [Revised Code of Washington](#) and view Titles 46.61 Rules of the Road and 66 Alcohol Beverage Control.

## Federal Legal Sanctions

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction(s).

### Federal Penalties for Alcohol Offenses

*18 U.S.C. 1952:* Anyone who travels in interstate or foreign commerce or uses the mail or any facility in interstate or foreign commerce, with the intent to: (a) distribute the proceeds of any unlawful activity; or (b) commit any crime of violence to further any unlawful activity; or (c) otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment or carrying on, of any unlawful activity, may be subject to the following penalties: individuals found guilty of conduct related to paragraphs (a) or (c) may be fined up to \$10,000, and/or imprisoned for up to five years. Individuals found guilty of conduct related to paragraph (b) may be fined up to \$10,000, and/or imprisoned for up to 20 years. If death results from the conduct, imprisonment may be for any period of years up to life in prison. For the purposes of this paragraph, “unlawful activity” includes any business enterprise involving liquor on which the Federal excise tax has not been paid.

### Federal Drug Trafficking Penalties

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction as seen in the charts below. If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to \$8 million. Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.



## FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams 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 \$5 million if an individual, \$25 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 \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture	<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 \$8 million if an individual, \$50 million if not an individual.	1 kg or more mixture	<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 \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams 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	<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 bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> 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. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount		<b>First Offense:</b> Not more than 5 yrs. 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 other than an individual.	
Flunitrazepam (Schedule IV)	Other than 1 gram or more			
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 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

## FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. 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 \$20 million if an individual and \$75 million if other than an individual.

**20 U.S.C. 1091:** Students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

**21 U.S.C. 845(a):** Persons convicted on federal charges of drug trafficking within 1,000 feet of a university face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

### Federal Drug Possession Penalties

**21 U.S.C. 844(a):** 1st Conviction: 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. After 1 prior drug conviction: 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. After 2 or more prior drug convictions: 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. Special sentencing provisions for possession of crack cocaine: Shall be imprisoned not less than 5 years and not more than 20 years, and fined a minimum of \$1,000 if: (a) 1st conviction and the amount of crack possessed exceeds 5 grams; or (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams; or (c) 3rd or subsequent possession 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 to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment.

*21 U.S.C. 881(a)(4):* Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

*21 U.S.C. 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.

## Health Effects of Commonly Used Substances

Substance	Class	Nicknames/ Slang Terms	Short Term Effects	Long Term Effects	Overdose Effects
<b>Alcohol</b>	Depressant	Booze, brew, juice, poison, liquor, liquid courage, firewater, spirit, sauce	Drowsiness, slurred speech, headaches, impaired cognition and judgement, impaired coordination, distorted vision and hearing, vomiting, decreased heart rate, breathing difficulties, unconsciousness, blackouts, coma, death	Physical dependence, psychological dependence, vitamin B1 deficiency, cancer, liver damage, neurological damage, impaired cognitive development, sexual dysfunction, mental health difficulties, psychosis, and fetal alcohol syndrome	Blue, cold, or clammy skin, irregular breathing, stopped breathing, unresponsive, vomiting while unresponsive, coma, death
<b>Amphetamines</b>	Stimulant	Uppers, speed, meth, crack, crystal, ice, pep pills	Increased heart rate, increased blood pressure, dry mouth, loss of appetite,	Delusions, hallucinations, heart problems, hypertension, irritability, insomnia,	Agitation, increased body temperature, hallucinations, convulsions, death

			restlessness, irritability, anxiety	toxic psychosis, physical dependence	
<b>Barbiturates &amp; Tranquilizers</b>	Depressants	Barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	Slurred speech, muscle relaxation, dizziness, decreased motor control	Severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence	Central nervous system depression, decreased respiration, increased heart rate, decreased blood pressure, decreased urine production, decreased body temperature, coma, death
<b>Cocaine</b>	Stimulant	Coke, cracks, snow, powder, blow, rock	Loss of appetite increased blood pressure and heart rate, contracted blood vessels, nausea, hyperstimulation anxiety, paranoia, increased hostility Increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep	Depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver and lung damage	Agitation, increased body temperature, hallucinations, convulsions, death
<b>Gamma Hydroxy Butyrate</b>	Depressant	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy,	Euphoria, decreased inhibitions, drowsiness, sleep,	Memory loss, insomnia, anxiety, depression, severe	Coma and death

		grievous bodily harm	decreased body temperature, decreased heart rate, decreased blood pressure	withdrawal symptoms, physical dependence, psychological dependence	
<b>Heroin</b>	Narcotic	H, junk, smack, horse, skag	Euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness	Constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence, psychological dependence	Slow and shallow breathing, blue lips and fingernails, clammy skin, convulsions, coma, death
<b>Ketamine</b>	Hallucinogen	K, super K, special K	Dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression, nausea	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity, increased confusion, increased depression, physical dependence, psychological dependence	Unconsciously, dangerously slowed breathing
<b>LSD</b>	Hallucinogen	Acid, stamps, dots, blotter, A-bombs	Dilated pupils, change in body temperature, blood pressure and heart rate, sweating,	may intensify existing psychosis, panic reactions, can interfere with psychological	Longer, more intense "trip" episodes, psychosis, death

			chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes	adjustment and social functioning, insomnia, physical dependence, psychological dependence	
<b>MDMA</b>	Hallucinogen	Ecstasy, XTC, adam, X, rolls, pills	Impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	Same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions death, physical dependence, psychological dependence	Irregular body temperature leading to liver, kidney, and cardiovascular system failure and death
<b>Marijuana/ Cannabis</b>	Hallucinogen	Pot, grass, dope, weed, joint, bud, reefer, doobie, roach	Impaired reflexes and coordination, sensory distortion, euphoria, panic, anxiety, slowed reaction time, increased appetite, drowsiness, impaired sleep quality, impaired memory, and impaired risk perception	Physical dependence, psychological dependence, lethargy, suppressed immune system, impaired sleep quality, impaired cognitive development, personality changes, impaired cognition and memory, complications with anesthesia,	A fatal overdose is unlikely, however large amounts of marijuana increase severity of its effects, such as extreme confusion, anxiety, increased blood pressure, severe nausea and vomiting.

				anxiety, bronchitis, conjunctivas, shortened attention span, cancer	
<b>Mescaline</b>	Hallucinogen	Peyote cactus, buttons, cactus, mesc, peyoto	Nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature	Lasting physical and mental trauma, intensified existing psychosis, psychological dependence	Deaths from acute overdose is rare but may occur due to suicide, accidents, dangerous behavior, or poisonous plant material
<b>Morphine/ Opiates/ Opioids</b>	Narcotics	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	Flushing of the skin, dry mouth, euphoria, increased body temperature, dry mouth, “heavy” feeling in arms and legs, itching, nausea, vomiting, decreased pain perception, slowed breathing and heart rate, unconscious- ness, coma, death	Physical dependence, psychological dependence, constipation, stomach cramps, liver/kidney disease, pneumonia, abscesses, impaired immune function, muscular weakness, loss of appetite, pregnancy complications, and increased risk of HIV and hepatitis, collapsed veins, heart infections, depressed respiration, and other pulmonary complications	Constricted (pinpoint) pupils, cold clammy skin, confusion, convulsions, extreme drowsiness, and slowed breathing, death

<b>PCP</b>	Hallucinogen	Crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	Shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking	Memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence	Respiratory depression, coma, convulsions, seizures, death due to respiratory arrest
<b>Psilocybin</b>	Hallucinogen	Mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	Nausea, distorted perceptions, nervousness, paranoia	Confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis	Longer, more intense "trip" episodes, psychosis, and death
<b>Steroids</b>	Anabolic steroids	Roids, juice	Increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure	Cholesterol imbalance, anger management problems, masculinization of women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility,	Not associated with overdoses. See long-term effects.



				stroke, hypertension, congestive heart failure, liver damage, psychological dependence	
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