


CLARKSON UNIVERSITY
Memorandum
September 2011

TO: University Community

FROM: Anthony Collins, President 

SUBJECT: Drug-Free Schools and Communities Act

The Drug-Free Schools and Communities Act, Public Law 101-226, requires that our University implements a program to prevent unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. In part, the law requires that all students and employees annually receive a description of University policies and possible sanctions for violation of drug or alcohol laws, possible health risks associated with use of drugs or alcohol, and counseling or rehabilitation services available to you. This is a most important topic. Please take the opportunity to reflect on potential problems associated with drug use. Consider, in particular, alcohol, its role in our lives, and its possible negative impacts.

Clarkson policies and possible sanctions

Clarkson prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances or alcohol on its property or as part of its activities. Employees are referred to the Operations Manual 3.1.7. Students are referred to the Clarkson Regulations IX-A and IX-B. Sanctions for violation of these policies will range from written warning to dismissal or expulsion, depending on the circumstances of the violation. Possible sanctions include referral for counseling, fines or rehabilitation. Students can refer to attached Table 1 for more details on possible sanctions. The University has the right to refer individuals to governmental authorities for prosecution if deemed appropriate.

Finally, any legal usage of alcohol in public areas on campus must be approved by Clarkson's ARC (Alcohol Review Committee).

Legal sanctions

It is widely known that selling illegal drugs can result in criminal conviction leading to large fines or imprisonment. However, simple possession of illegal drugs can lead to severe penalties as well. The federal and state laws that determine those penalties are complicated, but it is important that they be understood.

For your information, Table 2 is attached to summarize penalties for alcohol-related offenses in New York State. These laws make it illegal to drive while intoxicated; serve alcohol to persons under 21; misrepresent one's identity to purchase alcohol; or for a person under 21, to possess alcohol with the intent to consume it. Also, anyone under 21 driving a motor vehicle after having consumed any alcohol will be fined and will lose driving privileges.

In addition, Tables 3-6 summarizing federal and state penalties for drug possession and trafficking are attached.

Finally, the Village of Potsdam municipal code (Sec. 124-7) makes it a violation to consume alcohol or to possess an open container containing alcohol on public land without special permission from the Village. The ordinance applies to anyone in a vehicle as well. Violation can result in a fine of up to \$250 or 15 days in jail.

This memo, and the attached tables, cannot present a comprehensive summary of drug and alcohol laws. The laws are complicated and details frequently change. However, it is designed to alert you to the consequences of illegal behavior associated with drugs and alcohol. You should also be aware that New York laws make it illegal to possess certain types of drug paraphernalia, to grow marijuana, to make or sell imitations of illegal drugs, to operate a motor vehicle while impaired by a drug, or even to be in public while under the influence of a drug. These, and other similar types of offenses, can bring penalties ranging from fines less than \$100 to seizure of property used in transporting drugs, to imprisonment. Federal law also allows the doubling of fines or prison terms for anyone selling drugs to a minor or near a school, including any university.

Health risks

Alcohol is widely used in our society. Its health risks can easily be overlooked. Effects of use can range from immediate impairment in judgment and muscle coordination, to increased risk-taking behavior and violence. Moderate to high doses of alcohol can result in respiratory failure and death. The danger of receiving a fatal dose is greatly increased when alcohol is combined with other depressants such as barbiturates. High levels of alcohol usage increase the risks of breast cancer. Consumption of alcohol during pregnancy may result in physical or mental abnormalities in infants. Dependence, both psychological and physical, can result from continued usage. Should one, who is dependent, attempt to stop using alcohol suddenly, and without medical help, life threatening withdrawal symptoms can appear.

Health risks of other common drugs are summarized in Table 7. Though a table cannot cover this important information in a comprehensive way, it is intended to alert you to the many possible dangers in the use of illicit drugs. Three types of drugs not covered in the table include deliriums, designer drugs and anabolic steroids. Deliriums such as solvents, aerosols and anesthetics can have a variety of effects such as impaired judgment, hyperactivity, confusion, headache, nausea, respiratory depression, unconsciousness and even death. Designer drugs are often manufactured in an attempt to avoid technical definitions of illegal drugs. Their effects vary depending on the drug they are intended to imitate. Many are much stronger than the original and can be many times as dangerous. Among the possibilities are permanent central nervous system damage or death. Anabolic steroids are often taken to enhance muscularity and strength. They can have negative effects such as cardiovascular disease, high blood pressure, sterility, increased aggressiveness and stunted growth in adolescents.

Where to get help

The preceding information is designed to raise awareness of possible dangers in alcohol and drug use. It is hoped problems can be prevented in our University community. However, if you or someone you know needs help for a problem related to drugs or alcohol, the following are some of the sources of counseling or referral available.

For employees:

Human Resources (268-6497, Graham Hall- Center Core) will make appropriate referrals to counseling, treatment or rehabilitation services.

St. Lawrence County Alcohol and Substance Abuse Services (386-2189).

Canton-Potsdam Hospital Detoxification Unit (265-3300, ext. 3401) and Rehabilitation Unit (265-3300, ext. 2301).

For students:

Counseling Center (268-2327, ERC Building- 1st floor) will provide confidential counseling and appropriate referral for treatment or rehabilitation.

For everyone:

NCA (National Council on Alcoholism) Information line (1-800-622-2255) will provide referral for drug or alcohol problems.

NIDA (National Institute on Drug Abuse) Hotline (1-800-662-4357) will provide confidential information and referral.

OASAS (New York State Office of Alcoholism and Substance Abuse Services) Information line (1-800-522-5353) will provide confidential information and referral.

Reachout (265-2422) is a local 24-hour crisis hotline that will provide confidential information and referral.

Table 1

Sanctions for Students Violating Clarkson Drug and Alcohol Policy

<p><u>Possession and Consumption of Alcohol by a Person Under 21</u></p> <p><u>Public Possession and Consumption of Alcohol by Anyone Without A.R.C. Approval</u></p> <p>For violation of the two preceding categories:</p> <p>1st violation – (Residential Director) RD written or documented warning and confiscation of all alcohol in possession, possible referral for counseling evaluation</p> <p>2nd violation - confiscation of all alcoholic beverages in possession and referral to Deans office, which may result in disciplinary warning, monetary fine, notification of parents, community service, possible referral for counseling evaluation</p> <p><u>All Subsequent Alcohol Possession and Consumption Violations</u></p> <p><u>Serving Alcohol to Individuals Under 21</u></p> <p><u>Selling Alcohol Without a Permit</u></p> <p><u>Using Fraudulent Means to Purchase Alcohol</u></p> <p><u>Any Violation of Drug Policy</u></p> <p>For violation of the five preceding categories:</p> <p>Referral to Dean's office which may result in disciplinary reprimand, disciplinary probation, disciplinary suspension, disciplinary expulsion, notification of parents, and/or referral for prosecution. Other specific sanctions appropriate to the offense may also be imposed such as limited campus housing or driving privileges, monetary fine, counseling evaluation, etc.</p>
--

The penalties for various alcohol-related offenses under the New York State Penal Law, Alcohol Beverage Control Law, and Vehicle and Traffic Law are summarized in the following table. Note that all but possession are misdemeanors meaning that a criminal record will result and that fines may be subject to state surcharges.

Table 2

Penalties for Alcohol-Related Offenses Under N.Y. Law

<p><u>Driving While Ability Impaired (ADWAI) (.05-.07 blood/alcohol content)</u></p> <p>1st offense - up to 15 days jail, \$300-\$500 fine, 90-day license suspension, 1-year revocation if under 21</p> <p>2nd in 5 yrs. - up to 30 days jail, \$500-\$750 fine, minimum 6-month license revocation</p> <p>3rd - up to 90 days jail, \$750-\$1,500 fine, minimum 6-month license revocation</p> <p><u>Driving While Intoxicated (ADWI) (.08 + blood/alcohol content)</u></p> <p>1st offense - up to 1 year prison, up to \$1,000 fine, minimum 6-month license revocation, 1 year if under 21</p> <p>2nd in 10 yrs. - up to 4 years prison, up to \$5,000 fine, minimum 1-year license revocation</p> <p>3rd in 10 yrs. - up to 7 years prison, up to \$10,000 fine, minimum 1-year license revocation</p> <p><u>Under Age 21, Driving After Consuming Alcohol (Zero Tolerance Law) (.02-.07 blood/alcohol content)</u></p> <p>1st offense - License suspension for at least six months, \$125 civil penalty, \$100 suspension termination fee</p> <p>2nd offense - Subsequent Offense - revocation for at least 1 year or until age 21 (which ever is longer), \$125 civil penalty and \$100 license re-application fee</p> <p><u>Serving Alcohol To Persons Under 21</u></p> <p>Under ABC law - up to 3 months in jail, up to \$500 fine, 1 year probation</p> <p>Under Penal law - up to 1 year in jail, up to \$1,000 fine, 3 years probation</p> <p><u>Fraudulent Attempt To Purchase Alcohol (using false ID or ID of another)</u></p> <p>Under ABC law - up to 3 months in jail, up to \$500 fine, 1 year probation</p> <p>Under Penal law - up to 1 year in jail, up to \$1,000 fine, 3 years probation</p> <p>(If NYS license is forged, suspension is likely and other vehicle and traffic law charges may apply)</p> <p><u>Possession of Alcohol By a Person Under 21</u></p> <p>Up to \$50 fine, possible community service</p>
--

The penalties for drug trafficking under the Federal Controlled Substances Act (“CSA”) are summarized in the following tables. The CSA classifies controlled substances into five schedules (Roman numerals I-V), based on the substance’s potential for abuse, medical use, and risk of dependence. Schedule I and II drugs have the highest potential for abuse, and Schedule V drugs have the lowest potential for abuse.

Table 3

Federal Trafficking Penalties – All Drugs, Except Marijuana

As of November 18, 1988

CSA	PENALTY		Quantity	DRUG	Quantity	PENALTY	
	2 ND Offense	1 st Offense				1 st Offense	2 nd Offense
I and II	Not less than 10 years. Not more than life. If death or serious injury, not less than life. Fine of not more than \$4 million individual, \$10 million other than individual	Not less than 5 years. Not more than 40 years. If death or serious injury, not less than 20 years. Not more than life. Fine of not more than \$2 million individual, \$5 million other than individual.	10-99 gm or 100-999 gm mixture	METHAMPHETAMINE	100 gm or more or 1 kg or more mixture	Not less than 10 years. Not more than life. If death or serious injury, not less than 20 years. Not more than life. Fine of not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years. Not more than life. If death or serious injury, not less than life. Fine of not more than \$8 million individual, \$20 million other than individual.
			100-999 gm mixture	HEROIN	1 kg or more mixture		
			500-4.999 gm mixture	COCAINE	5 kg or more mixture		
			5-49 gm mixture	COCAINE BASE	50 gm or more mixture		
			10-99 gm or 100-999 gm mixture	PCP	100 gm or more or 1 kg or more mixture		
			1-9 gm mixture	LSD	10 gm or more mixture		
			40-399 gm mixture	FENTANYL	400 gm or more mixture		
10-99 gm mixture	FENTANYL ANALOGUE	100 gm or more mixture					
	Drug	Quantity	First Offense		Second Offense		
	Other	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.		Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual.		
III	All	Any	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.		
IV	All	Any	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual.		Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.		
V	All	Any	Not more than 1 year. Not more than \$100,000 individual, \$250,000 not individual.		Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.		

Table 4

Federal Trafficking Penalties - Marijuana

As of November 18, 1988

Quantity	Description	First Offense	Second Offense
1,000 kg or more; or 1,000 or more plants	Marijuana Mixture containing detectable quantity	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual, \$20 million other than individual.
100 kg to 1,000 kg; or 100-999 plants	Marijuana Mixture containing detectable quantity	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual, \$10 million other than individual.
50 to 100 kg	Marijuana	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.
10 to 100 kg	Hashish		
1 to 100 kg	Hashish Oil		
50 - 99 plants	Marijuana		
Less than 50 kg	Marijuana	Not more than 5 years. Fine not more than \$250,000, \$1 million other than individual.	Not more than 10 years. Fine \$500,000 individual, \$2 million other than individual
Less than 10 kg	Hashish		
Less than 1 kg	Hashish Oil		

Federal Drug Possession Penalties

Table 5

1st conviction - up to 1 year, \$1,000 - \$100,000 fine
 2nd conviction - minimum 15 days, maximum 2 years, \$2,500 - \$250,000 fine
 3rd + conviction - minimum 90 days, maximum 3 years, \$5,000 - \$250,000 fine

Separate Penalties for Crack Cocaine

Minimum 5 years, maximum 20 years, up to \$250,000 fine if:
 1st conviction and over 5 gm possessed, or
 2nd conviction and over 3 gm possessed, or
 3rd + conviction and over 1 gm possessed

Forfeiture of Property

Vehicles, boats, aircraft or other conveyances used to transport or conceal a controlled substance may be seized and forfeited. Any personal or real property used to possess or facilitate possession of a controlled substance may be forfeited where the offense is punishable by more than 1 year minimum prison.

Civil Fine of Up to \$10,000

Loss of Federal Benefits

Federal benefits such as student loans, grants, contracts and professional and commercial licenses may be denied for up to 1 year for 1st offense, and up to 5 years for 2nd and subsequent offenses. Certain other federal licenses and benefits such as pilot licenses, public housing tenancy, etc., may be denied with the discretion of the applicable federal agency.

Penalties for drug possession and trafficking under the New York State Penal Law are summarized below. In addition to prison and fines, most penalties include state surcharges and possible probation time. Also, fines are possible even though limits are not always listed here.

DRUG POSSESSION AND TRAFFICKING PENALTIES UNDER N.Y. LAW* Table 6

<u>Narcotics</u> (Cocaine, crack, heroine)	POSSESSION: less than 1/8 oz 1/8 - 1/2 oz 1/2 - 2 oz 2 - 4 oz 4 oz +	- up to 1 year \$1,000 fine - 1 to 15 years, \$15,500 fine - 1 to 25 years, \$30,000 fine - 3 years to life, \$50,000 fine - 15 years to life, \$100,000 fine	SALE: 0 - 1/2 oz - 1 to 25 years, \$30,000 fine 1/2 - 2 oz - 3 years to life, \$50,000 fine 2 oz + - 15 years to life, \$100,000 fine
<u>LSD</u>	POSSESSION: 0 - 1 mg 1 - 5 mg 5 - 25 mg 25 mg +	SALE: - up to 1 year, \$1,000 fine - 1 to 15 years - 1 to 25 years - 3 years to life	0 - 1 mg - up to 7 years 5 mg + - 3 years to life
<u>PCP</u> (Angel Dust)	POSSESSION: 0 - 50 mg 50 - 250 mg 250 - 1250 mg	- up to 1 year, \$1,000 fine - up to 7 years - 1 to 25 years	SALE: 0 - 50 mg - 1 to 7 years, \$5,000 fine 50 - 250 mg - 1 to 15 years, \$15,500 fine 250 mg + - 1 to 25 years, \$30,000 fine
<u>Amphetamines</u> (Uppers)	POSSESSION: 0 - 1 gm 1 - 5 gm 5 - 10 gm 10 gm +	- up to 1 year, \$1,000 fine - up to 15 years - 1 to 25 years - 3 years to life	SALE: 0 - 1 gm - up to 7 years 1 - 5 gm - 1 to 25 years 5 gm + - 3 years to life
<u>Barbiturates</u> (Downers)	POSSESSION: 0 - 10 oz 10 oz +	- up to 1 year, \$1,000 fine - up to 15 years	SALE: 0 - 10 oz - up to 7 years 10 oz + - up to 15 years
<u>Marijuana</u>	POSSESSION: 0 - 25 gm privately 25 gm - 2 oz or smaller amount in public 1 - 8 oz 8 - 16 oz 16 oz - 10 lb 10 lb +	- up to 15 days, \$250 fine - up to 3 months, \$500 fine - up to 1 year, \$1,000 fine - 1 to 4 years, \$5,000 fine - 1 to 7 years, \$5,000 fine - 1 to 15 years, \$15,500 fine	SALE: 0 - 2 gm - up to 3 months, \$500 fine 2 - 25 gm - up to 1 year, \$1,000 fine 25 gm - 4 oz - 1 to 4 years, \$5,000 fine 4 - 16 oz - 1 to 7 years, \$5,000 fine 1 lb + - 1 to 15 years, \$15,000 fine
<u>Concentrated Cannabis</u> (Hashish)	POSSESSION: 0 - 1/4 oz 1/4 - 1 oz 1 oz +	- up to 1 year, \$1,000 fine - 1 to 7 years, \$5,000 fine - 1 to 15 years, \$15,500 fine	SALE: any amount - up to 15 years

*The Penal Law provides more serious penalties for “possession with intent to sell”, “sale to persons under 21”, and “sale to persons under 19 on or within 1000 feet of school grounds”, including campus property. For other drugs not listed, penalties can range up to life in prison.

CONTROLLED SUBSTANCES - USES & EFFECTS

Table 7

Drugs CSA Schedule	Trade or Other Names	Medical Uses	Physical	Psychological	Tolerance	Duration (Hours)	Usual Methods of Administration	Possible Effects	Effects of Overdose	Withdrawal Syndrome
<u>NARCOTICS</u>										
Opium	Dover's Powder, Paregoric Parepectolin	Analgesic, antidiarrheal	High	High	Yes	3 to 6	Oral, smoked			
Morphine	Morphine, MS-Contin Roxanol, Roxanol-SR	Analgesic, antitussive	High	High	Yes	3 to 6	Oral, smoked, injected			
Codeine	Tylenol w/Codeine, Empirin W/Codeine Robitussin A-C, Fiorinal W/Codeine	Analgesic, antitussive	Moderate	Moderate	Yes	3 to 6	Oral, injected	Euphoria, drowsiness, respiratory	Slow and shallow breathing, clammy skin,	Watery eyes, runny nose, yawning,
Heroin	Diacetylmorphine Horse, smack	None	High	High	Yes	3 to 6	Injected, sniffed, smoked	depression, constricted pupils,	convulsions, coma,	loss of appetite, irritability,
Hydromorphone	Dilaudid	Analgesic	High	High	Yes	3 to 6	Oral, injected	nausea	possible death	tremors, panic, cramps, nausea,
Meperidine (Pethidine)	Demerol, Mepergan	Analgesic	High	High	Yes	3 to 6	Oral, injected			
Methadone	Dolophine, Methadone	Analgesic	High	High-low	Yes	12 to 24	Oral, injected			chills and sweating
Other Narcotics	Numorphan, Percoden, Percocat, Tylax, Tussionex, Fentanyl, Daryon, Lomolil, Taiwin	Analgesic, antidiarrheal Antitussive	High-low	High-low	Yes	Variable	Oral, injected			
<u>DEPRESSANTS</u>										
Chloral Hydrate	Noctec	Hypnotic	Moderate High-	Moderate	Yes	5 to 8	Oral			
Barbiturates	Amytal, Butisol, Fiorinal, Lotusate, Tuinal Nernbutal, Seconal, Phenobarbital, Serax	Anesthetic, anticonvulsant Sedative, hypnotic, veterinary Authanssia agent	Moderate	High-Moderate	Yes	1 to 16	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak & rapid pulse, coma, possible death	Anxiety, insomnia, tremors, panic, delirium, convulsions, possible death
Benzodiazepines	Ativan, Dolman, Diazepam, Librium, Xanax, Valium, Tranax, Verstran, Versed, Haloion, Paxpen, Restoni	Antianxiety, anticonvulsant Sedative, hypnotic	Low	Low	Yes	4 to 8	Oral			
Methaqualone	Quaalude	Sedative, hypnotic	High	High	Yes	4 to 8	Oral			
Glutethimide	Doriden	Sedative, hypnotic	High	Moderate	Yes	4 to 8	Oral			
Other Depressants	Eqanil, Millown, Noluder, Placidly, Valmid	Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	4 to 8	Oral			
<u>STIMULANTS</u>										
Cocaine	Coke, Flake, Snow, Crack	Local anesthetic Attention deficit disorders, neurology	Possible	High	Yes	1 to 2	Sniffed, smoked, injected			
Amphetamines	Biphetamine, Delcobase, Desxyn, Dexedrine, obetrol	Weight control	Possible	High	Yes	2 to 4	Oral, injected	Increased alertness, excitation, euphoria, increased pulse rate	Agitation, increase in body temperature, hallucinations,	Apathy, long periods of sleep,
Phenmetrazine	Preludin	Weight control	Possible	High	Yes	2 to 4	Oral, injected	& blood pressure,	convulsions, possible death	irritability, depression, disorientation
Methylphenidate	Ritalin	Attention deficit disorder, neurology	Possible	Moderate	Yes	2 to 4	Oral, injected			
Other Stimulants	Adipex, Cylert, Didrex, Ionerrin, Mellat, Plegina, Sanorex, Tenuate, Taparil, Prelu-2	Weight control	Possible	High	Yes	2 to 4	Oral, injected	insomnia, loss of appetite		
<u>HALLUCINOGENS</u>										
LSD	Acid, Microdot	None	None	Unknown	Yes	8 to 12	Oral			
Mescaline and Peyote	Mexc, Buttons, Cactus	None	None	Unknown	Yes	8 to 12	Oral			
Amphetamine Variants	2.5 - DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	None	Unknown	Unknown	Yes	Variable	Oral, injected			
Phencyclidine Phencyclidine Analogues	PCP, Angel Dust, Hog PCE, PCPy, TCP	None	Unknown	High	Yes	Days	Smoked, oral, injected	Illusions and hallucinations,	Longer, more intense "trip"	Withdrawal syndrome
Other Hallucinogens	Bufofenine, Iboganine, DMT, DET, Psilocybin, Psilocin	None	None	Unknown	Possible	Variable	Smoked, oral, injected Sniffed	poor perception of time and distance	episodes, psychosis, possible death	not reported
<u>CANNABIS</u>										
Marijuana	Pot, Acapulco Gold, Grass, Reefer, Sinsemilla, Thai Sticks	None Cancer, chemotherapy	Unknown	Moderate	Yes	2 to 4	Smoked, oral			
Tetrahydrocannabinol	THC, Marinal	Antinaussant	Unknown	Moderate	Yes	2 to 4	Smoked, oral	Euphoria, relaxed	Fatigue,	Insomnia,
Hashish	Hash	None	Unknown	Moderate	Yes	2 to 4	Smoked, oral	inhibition, increased	paranoia,	hyperactivity, and
Hashish Oil	Hash Oil	None	Unknown	Moderate	Yes	2 to 4	Smoked, oral	appetite, disoriented behavior	possible psychosis	decreased appetite occasionally reported