

**ATSU**  
**Drug and Alcohol Abuse and Prevention**  
**Policy**  
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#### **Introduction and Philosophy**

Consistent with the University's heritage as the founding school of osteopathic medicine, the mission of A. T. Still University of Health Sciences is to educate students to become competent health care professionals who continuously develop and demonstrate compassion, integrity, and ability, while advancing osteopathic principles and philosophy. The institution is committed to scholarly inquiry that anticipates and addresses society's health care needs. The University encourages its constituencies to become leaders in improving community health and wellness with a comprehensive appreciation of the interaction of mind, body, and spirit.

#### **The Current Status of Drug and Alcohol Abuse in the U.S.**

*Adapted from the September 7, 2006 press release from the Substance Abuse & Mental Health Services Administration and THE NSDUH Report: Reasons for Not Receiving Substance Abuse Treatment, both found at [www.samhsa.gov](http://www.samhsa.gov).*

An estimated 22.5 million Americans were classified with substance dependence or abuse in 2005, according to a press release on Thursday, September 7, 2006, by the Substance Abuse and Mental Health Services Administration. Marijuana remains the most widely used illegal drug, with an estimated 14.6 million users in the past month. The rate of cocaine use has remained unchanged since 2002, with an estimated 2 million persons using cocaine. The number of methamphetamine users has remained steady since 2002. However, the number of new users of methamphetamine has declined since 2004. There are 6.4 million persons ages 12 or older who used prescription drugs nonmedically in the past month. Narcotic pain relievers were the most frequently misused prescription medication.

The press release reported that 55 million people are binge drinkers (defined as five or more drinks on the same occasion). Nearly 16 million are heavy drinkers, downing five or more drinks a day for at least five days in the past month. The binge drinking rate among young adults ages 18-25 is 41.9% and the heavy drinking rate is 15.3%. An estimated 31.7 million persons (age 12 and older) drove under the influence of alcohol.

The press release highlights that 2.3 million people received treatment for substance dependence or abuse. Another 1.2 million reported that they felt they needed treatment for a diagnosable substance use problem, but over half of this group had made no effort to seek treatment.

The press release indicates that illicit drug use among youth, ages 12-17 continues to decline. However, among adults age 50-59, illicit drug use has increased from 2.7% to 4.4%. For young adults, ages 18-25, cocaine and nonmedical use of prescription drugs has increased.

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Most drug and alcohol abusers are not getting the help they need. A National Survey on Drug Use and Health indicates that about 18 percent of those needing treatment for an illicit drug problem and about 8 percent of those needing treatment for an alcohol problem received specialty substance abuse treatment in the past year. The primary reasons reported for not getting treatment among those who perceived an unmet treatment need were: not being ready to stop using illicit drugs, thinking the cost of treatment would be too high, stigma associated with receiving treatment, and not knowing where to get treatment. ATSU has a Drug and Alcohol Free Workplace policy, which provides an opportunity for students to address drug/alcohol issues in a supportive environment. This policy embraces the Body – Mind - Spirit philosophy of ATSU and expresses our commitment to our students and their overall health.

Alcoholism and drug abuse affect not only the individual, but also disrupt the lives of family, friends, co-workers, neighbors and anyone else with whom the person associates. The emotional effects of substance abuse go far beyond the body. Mental problems can include depression, learning and memory problems and impaired thinking and judgment, which can affect not only the abuser but also the abuser's entire family. Even if obvious outward signs of physical deterioration have yet to surface, marital problems, and relationships with children, loss of friends, loss of job and legal problems can be as devastating as ill health.

The goal of this policy is to help chemically impaired students recognize and receive treatment for their impairment, to delineate a confidential process for reporting and assessing members suspected of chemical impairment, to provide an effective intervention process, and to facilitate rehabilitation and re-entry into the workplace.

In an effort to remind students of their options for addressing any issues they may have relative to this topic, the Drug and Alcohol Free Workplace committee has attached the current policy for your review.

The committee also recommends two web sites: <http://www.alcoholscreening.org> and <http://getfit.samhsa.gov/Alcohol/tests/default.aspx> that have self assessment and answer questions about potential alcohol and drug abuse.

If you have any questions or would like to discuss this effort, please contact the following committee members:

Lori Haxton, MA, Admissions/Alumni Services; Committee Chairperson  
Thom Van Vleck, MA, LPC, Counseling Services

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#### **The Drug-Free Schools and Communities Act of 1989**

The Drug-Free Schools and Communities Act of 1989 requires all institutions that receive federal funds, to educate and inform all students of the policies, effects, and implications of illicit drug and alcohol use.

A.T. Still University has established this drug-free and alcohol-free awareness program to inform students of:

1. The existence of our drug-free and alcohol-free policy
2. The availability of drug and alcohol counseling, and
3. The dangers of drug abuse
4. The penalties of drug and alcohol abuse.

Please take a moment to read the enclosed Drug/Alcohol policy.

#### **ATSU's policy for campus alcohol use is based on the following premises:**

1. Chemical dependence and abuse is a significant health concern in our country. As a health-care degree-granting institution, our students must have the knowledge and understanding of addiction. Additionally, students should utilize the knowledge in the prevention of addictions for themselves and their patients.
2. ATSU encourages a wellness model for the entire institution. ATSU recognizes its responsibility to support and promote activity that prevents disease and minimizes health risks. ATSU also seeks to ensure the safety of all who are at the institution.
3. ATSU recognizes its legal and moral responsibility to uphold the laws of the country. While the overwhelming majority of those at ATSU are of legal age, ATSU has the responsibility to set a policy that is consistent with federal, state, and local laws. In addition, ATSU sets an expectation that students are responsible for their actions.

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**In accordance with the requirement for institutions that receive federal grants, ATSU has a drug free workplace policy.**

#### **A.T. Still University Policy on Illicit use of Drugs and Alcohol**

The following policy statements are provided to clearly inform students of the implications of illicit drug and alcohol at the University.

1. **A STANDARD OF CONDUCT** for individual students and student organizations regarding the unlawful possession, use, or distribution of illicit drugs and alcohol.
2. **A DESCRIPTION OF THE HEALTH RISKS** associated with the use of alcohol and specific illicit drugs.
3. **A DESCRIPTION OF DRUG AND ALCOHOL COUNSELING, TREATMENT, OR REHABILITATION OR RE-ENTRY PROGRAMS** available to University students in Missouri and Arizona. For more information on programs in other regions, please contact the Office of Counseling Services.
4. **A DESCRIPTION OF THE APPLICABLE LEGAL SANCTIONS**, which will be applied by federal, state, and local officials for the unlawful possession, or distribution of illicit drugs and alcohol. These sanctions may differ, depending upon your location of residency. Further information on local and state sanctions is available through the Office of Counseling Services.
5. **SANCTIONS FOR VIOLATIONS OF THE STANDARD OF CONDUCT REGARDING ILLICIT DRUG AND ALCOHOL** use may include immediate dismissal. A full description of the students' Professional Rights, Responsibilities and Conduct, can be found in the student catalogue. <http://www.atsu.edu/>

#### **1. Standard of Conduct**

This standard of conduct prohibits all ATSU students from possessing, attending school-related activities (including all lectures/labs, etc.) or working under the influence of intoxicants (non-prescribed drugs, narcotics, alcohol, etc.) or the illegal possession, manufacture, or use of drugs or alcohol at the University.

Participation in academic or clinical endeavors of ATSU or its affiliated institutions while under the influence of illicit drugs or alcohol is prohibited and considered a violation of the Code of Behavioral Standards. <http://www.kcom.edu/>

The unlawful possession, use of, distribution of illicit drugs is prohibited on ATSU's property. (Alcohol beverages may be used in compliance with ATSU Policy Order No. 95-101, Alcoholic Beverage Consumption in ATSU Facilities.)

**Student organizations** are under the same legal requirements as individuals concerning local, state and federal laws. Any violation of these laws on the part of a student

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organization could result in a disciplinary action against the individual(s) involved, and suspension or loss of student organization recognition.

ATSU has established the following policies to reduce the risks associated with the legal use of alcohol at student organization activities.

1. All advertising of social functions on campus must be approved by the Registrars Office.
2. Advertising cannot mention or infer the use of alcohol. Student organizations are not permitted to encourage or sponsor any activity that encourages the rapid or excessive consumption of alcohol.
3. No student organization may collect funds at a social event where alcohol is available, even if the funds are for the purchase of tickets, food, or door prizes.

## 2. DESCRIPTION OF HEALTH RISKS

### Alcohol

- Reduces inhibition and self-control
- Can lead to arguments, aggressive behaviors, and loss of rational thinking
- Impairs vision, memory, muscular coordination, and judgment
- Can cause unconsciousness, coma, respiratory failure and death
- Long-term abuse will damage most or all body organs, particularly the liver, heart, and brain.

### Cannabis

- Increased heart rate, reddening of the eyes, and dryness of the mouth and throat
- Temporarily impairs short-term memory, alters sense of time, and reduces the ability to perform tasks requiring concentration, swift reactions, and coordination
- Affects motivation and cognition making the acquisition of new information difficult
- Can produce paranoia and psychosis
- Damages lungs and pulmonary system
- Can result in low sperm count
- Psychological dependence

### Inhalants

- Dizziness, loss of muscle coordination, inability to think and behave normally, and sometimes abusive and violent behavior
- Decreased cardiac and respiratory rates
- Impaired judgment
- Amyl and butyl nitrate cause rapid pulse, headaches, and involuntary passing of urine and feces.

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- Disorientation, violent behavior, unconsciousness, or death
- Weight loss, fatigue, electrolyte imbalance, and muscle fatigue
- Permanent damage to the nervous system

#### Cocaine & Crack

- Dilated pupils and elevated blood pressure
- Increased heart rate, respiratory rate, and body temperature
- Ulceration of the mucous membrane of the nose
- Psychological and physical dependency
- Crack or freebase rock is extremely addictive, and its effects are felt within 10 seconds
- Loss of appetite, tactile hallucinations, paranoia, and seizures
- Death by cardiac arrest or respiratory failure

#### Amphetamines and Other Stimulants

- Restlessness, anxiety, mood swings, panic and paranoid thoughts, and hallucinations
- Circulatory and cardiac disturbances, convulsions, and coma
- Heavy, frequent doses can produce brain damage, resulting in speech disturbance and difficulty in turning thoughts into words.
- Feelings of restlessness, anxiousness, and moodiness
- An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure.
- Ecstasy (MDMA) and other designer drugs or rave drugs
- MDMA has both stimulant and psychedelic properties, Mood elevation, sensory perception alterations, and other psychological responses, stimulates the heart, raise body temperature, jaw clenching, teeth grinding, even seizures, adverse psychological effects (paranoia, confusion, anxiety visual hallucinations). Potentially neurotoxic to serotonergic neurons, i.e., potentially irreversible brain damage.

#### Depressants

- Small amounts can produce calmness and relaxed muscles
- Larger doses can cause slurred speech, staggering gait, and altered perception
- Very large doses can cause respiratory depression, coma, and death.
- The use of depressants can cause both physical and psychological dependence.

#### Hallucinogens

- Changes in time and space perception, delusions (false beliefs), and hallucinations (experiencing unreal or distorted sensations)
- Dilated pupils, increased temperature and heart beat, increased blood pressure, violent tremors.
- Heavy hallucinogen use may cause flashbacks and other psychological disturbances including anxiety, depression, or breaks from reality that can last days or months.
- Heavy users sometimes develop signs of organic brain damage, such as impaired memory, attention span, mental confusion and difficulty with abstract thinking.

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#### Narcotics

- Feelings of euphoria followed by drowsiness, nausea, and vomiting.
- Constricted pupils, watery eyes, and itching.
- Slow and shallow breathing, clammy skin, convulsions, coma, and possible death.
- Tolerance and dependence develops rapidly
- Use of contaminated syringes can result in AIDS, endocarditis, hepatitis
- Use during pregnancy can result in premature, stillborn, or addicted infants who experience severe withdrawal symptoms.

#### Sedative/Hypnotics (Benzodiazepines / Barbiturates)

- Sedative, euphoria
- Barbiturates can cause loss of consciousness, coma, respiratory depression and death.
- Barbiturates are especially lethal when combined with alcohol or other CNS depressants.
- Benzodiazepines, at higher doses, can cause loss of consciousness, possible coma, respiratory depression and death especially when used in combination with alcohol or other CNS depressants.
- Benzodiazepines and barbiturates are controlled substances and have addictive potential.
- Benzodiazepines should not be used during pregnancy, especially during the first trimester.

#### Anabolic steroids

- Testosterone and other androgenic drugs, sometime referred to as anabolic steroids
- Athletes abuse androgens to increase muscle mass and strength, especially when combined with strength training.
- In males, adverse effects include testicular atrophy, sterility, breast enlargement, some are toxic to the liver
- In females, adverse effects include virilization, menstrual irregularities, some are toxic to the liver
- It is a controlled substance, use is banned by most sports organizations due to deleterious side effects and what is usually considered an unfair advantage

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### **3. INFORMATION ON DRUG AND ALCOHOL COUNSELING, TREATMENT, REHABILITATION OR RE-ENTRY PROGRAMS**

These are services that are confidential and do not involve University Administration.

#### **Arizona Providers**

A complete list of Service Providers is available on the Arizona Department of Health Services web site [www.hs.state.az.us](http://www.hs.state.az.us) (click on Behavioral Health Services, then Substance Abuse Treatment & Prevention Services). Local services to the Mesa Campus may be accessed at: <http://www.asu.edu/studentaffairs/wellness/alcohol/resources.html>

#### **Missouri Providers**

A complete list of Service Providers is available on the Missouri Department of Mental Health, Division of Alcohol and Drug Abuse web site [www.modmh.state.mo.us](http://www.modmh.state.mo.us) (click on substance addiction, then Directory of ADA Service Providers).

#### **Self-Help Groups**

**Center for Substance Abuse Treatment:** This website has a search engine for locating treatment centers near your location. [www.samhsa.gov/csatsat.htm](http://www.samhsa.gov/csatsat.htm)  
(800) 662-HELP

**ALCOHOLICS ANONYMOUS AND NARCOTICS ANONYMOUS (NATIONAL)**

**212-870-3400**

<http://www.alcoholics-anonymous.org>

#### **Sites for Kirksville and Surrounding Area**

Alcoholics Anonymous (Narcotics Anonymous)

Call for meeting times and places

209 W. Washington St.

Kirksville, MO 63501

24 hours/day

(660) 665-1150

#### **Other Available Contacts**

MAOPS Impaired Physician Program

Jefferson City MO

(573) 635-7141

Adult Children of Alcoholics

310-534-1815

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[www.adultchildren.org](http://www.adultchildren.org)

National Association of State Alcohol/Drug  
Abuse Directors (NASADAD)  
202-293-0090

[www.nasadad.org](http://www.nasadad.org)

National Clearinghouse for Alcohol and  
Drug Information (NCADI)  
800-729-6686

[www.health.org](http://www.health.org)

American Council for Drug Education (ACDE)  
800-drughelp

[www.acde.org](http://www.acde.org)

National Council on Alcoholism and Drug  
Dependence

800-NCA-CALL

[www.ncadd.org](http://www.ncadd.org)

### **HOTLINES AND HELPLINES**

A wide array of information can be found at the SAMSHA's National Clearinghouse for Alcohol and Drug Information (NCADI) at <http://ncadi.samhsa.gov>. Additional information can be found at the Substance Abuse Information Data base at <http://said.dol.gov/>

### Hotlines and Helplines

Center for Substance Abuse Treatment (a 24 hour hotline with referral information)  
(800) 662-HELP

American Council for Drug Education (ACDE), <http://www.acde.org/>

American Council on Alcoholism Helpline (ACA), 1-800-527-3344,

<http://www.aca-usa.org/>

Center for Substance Abuse Treatment (CSAT), <http://csat.samhsa.gov/>

Cocaine Hotline, 1-800-COCAINE , <http://www.focusas.com/Cocaine.html>

Cocaine Hotline (Spanish) 1-800-662-9832

Drug Free Workplace Helpline, <http://workplace.samhsa.gov/HelpLine/HelpLine.htm>

National Alcohol and Substance Abuse Information Center, 1-800-784-6776,

<http://www.addictioncareoptions.com/>

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National Council on Alcoholism and Drug Dependence, Inc. (NCADD),

<http://www.ncadd.org/>

### **LOCAL KIRKSVILLE AREA AGENCIES WHICH PROVIDE ALCOHOL AND/OR DRUG COUNSELING, TREATMENT, REHABILITATION, OR RE-ENTRY**

#### **Residential And Outpatient Programs**

Preferred Family Healthcare, Inc.  
1101 S. Jamison, P.O. Box 767  
Kirksville, MO 63501  
(660) 665-1962  
Fee: Based on ability to pay  
SATOP available  
**Assessments: Free**  
**Satellite Offices: Macon, Trenton,  
Hannibal, Columbia, Moberly,  
Kansas City, St. Louis, St. Joseph,  
Kahoka, and Chillicothe.**

Hannibal Council on Alcohol/Drug Abuse  
146 Communications Drive  
Hannibal, MO 63401  
(573) 248-1196  
Macon, MO 660 385 3969  
Fee: Based on ability to pay  
**Satellite Offices: Mexico, Canton,  
Louisiana**

#### **OUTPATIENT PROGRAMS**

Family Guidance Center  
510 Francis Street  
St. Joseph, MO 64501  
(816) 364-1501  
Fee: Based on ability to pay  
Satellite Offices: Maryville,  
Cameron, Rockport, Tarkio,  
Albany, Grant City, Plattsburg,  
Maysville

Professional Counseling Services  
403 N. Elson St.  
Kirksville, MO 63501  
(660) 665-1964  
Fee: Private Pay

#### **Hotlines and Helplines**

American Council for Drug Education (ACDE), <http://www.acde.org/>

American Council on Alcoholism Helpline (ACA), 1-800-527-3344,

<http://www.aca-usa.org/>

Center for Substance Abuse Treatment (CSAT), <http://csat.samhsa.gov/>

Cocaine Hotline, 1-800-COCAINE , <http://www.focusas.com/Cocaine.html>

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Cocaine Hotline (Spanish) 1-800-662-9832

Drug Free Workplace Helpline, <http://workplace.samhsa.gov/HelpLine/Helpline.htm>

National Alcohol and Substance Abuse Information Center, 1-800-784-6776,

<http://www.addictioncareoptions.com/>

National Council on Alcoholism and Drug Dependence, Inc. (NCADD),

<http://www.ncadd.org/>

#### Self-Help Groups

##### **Alcoholics Anonymous and Narcotics Anonymous**

<http://www.alcoholics-anonymous.org/>

<http://www.na.org/>

##### **American Medical Student Association.**

Send a confidential e-mail to the director of student programming at [dsp@www.amsa.org](mailto:dsp@www.amsa.org)

**SAMHSA's Toll Free Referral Helpline,** <http://www.samhsa.gov>

(800) 662-HELP

#### **4. DESCRIPTION OF LOCAL, STATE, AND FEDERAL LEGAL SANCTIONS**

Local and state sanctions will vary from area to area. If you are outside of the corporate campus area of Kirksville, Missouri, you should refer to the sanctions governing that area. If you need specific information regarding applicable sanctions, please contact the Director of Human Resources.

Information on local and state sanctions is available by clicking on "[Alcohol Policies in the United States: Highlights from the 50 States](#)" or visiting the following website <http://www.epi.umn.edu/alcohol>.

#### **LOCAL SANCTIONS - CODE OF ORDINANCE, CITY OF KIRKSVILLE**

##### Driving While Intoxicated

No person shall operate a motor vehicle while in an intoxicated or drugged condition.

Section 15-152 (Code 1974, Sec. 13-10.1)

##### Alcohol Content In Blood Generally

No person shall drive a motor vehicle with eight-hundredths of one percent (0.08%) of alcohol or more by weight in his or her blood.

Section 15-153 (Code 1974, Sec. 13-10.2)

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#### **Minors**

(a) Purchase or possession. No person under the age of twenty-one (21) shall purchase, attempt to purchase or have in his possession any non-intoxicating beer or any intoxicating liquor.

(b) Sale, etc., to minor. No person or his employee shall sell, give or supply any non-intoxicating beer or any intoxicating liquor, or permit the same to be sold, given or supplied to a person under the age of twenty-one (21) years.

(c) Misrepresenting age. It shall be unlawful for any person under the age of twenty-one (21) years to attempt to purchase or purchase any intoxicating liquor or non-intoxicating beer by misrepresenting by any means whatsoever, his date of birth or current age.

(d) Sales, etc., by minors. No person under the age of twenty-one (21) years shall sell or assist in the sale or dispensation of intoxicating liquor or non-intoxicating beer except as permitted under R.S.Mo. Section 311.300.

Section 4-3 (Code 1974, Sec. 3-2; Ord. No. 10769, Sec. 2, 4-20-87)

#### **Public Drinking, Consumption, Possession, Etc.**

(a) It shall be unlawful for any person to drink or consume any intoxicating liquor or non-intoxicating beer in or upon any street, sidewalk, or alley or in any other public place within the city.

(b) It shall be unlawful for any person to possess or exercise control over an opened can, bottle, keg or other container designed or modified to contain liquid, including cups and glasses, of any intoxicating liquor or non-intoxicating beer in or upon any street, sidewalk, or alley or in any other public place within the city.

(c) This section shall not apply to drinking, consuming or possessing any intoxicating liquor or non-intoxicating beer, lawfully sold, in a place licensed to sell the same for consumption on the premises where sold. Section 4-5 (Code 1974, Sec. 3-4; Ord. No. 10769, Sec. 2, 4-20-87)

#### **Required; Term; Prorating; Renewal**

It is hereby declared unlawful for any person, either by himself or through the use of agents or servants, to engage in the manufacture, brewing, sale or distribution of intoxicating liquors or non-intoxicating beer within the city without first having taken out and obtained a license authorizing such manufacture, brewing, sale or distribution, in compliance with the terms of this article. Such license shall be issued for a period of one (1) year from June thirtieth of each year, and persons desiring to secure licenses after June thirtieth shall pay for such portion, in twelfths, of the license year remaining at the time such a license is issued (part of a month counted as one (1) entire month).

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Thereafter, all renewals of licenses shall be made on June thirtieth of each year.

Section 4-26 (Code 1974, Sec.3-6; Ord. No. 10769, Sec. 2, 4-20-87)

### **STATE SANCTIONS**

Missouri statutes prohibit the following acts:

#### **Alcohol Offenses**

##### Purchase or Possession by a Minor

Any person under 21 years of age who purchases, attempts to purchase, or possesses any intoxicating liquor is guilty of a misdemeanor. Section 311.325, R.S.Mo. (2000). This offense is punishable by a fine of not less than \$50.00 or more than \$1,000.00, or by imprisonment in the county jail for up to 1 year, or by both jail sentence and fine. Section 311.880, R.S.Mo. (2000).

Any person under 21 years of age who is convicted of any local or state offense involving use or possession of alcohol will be required to complete an approved alcohol related education program. Section 577.525, R.S.Mo. (2000).

Any person under 21 years of age who is convicted of any offense involving the possession or use of alcohol, committed while operating a motor vehicle, or any alcohol-related traffic offense shall have their license suspended for 90 days. Any subsequent offense shall result in a revocation of the offender's driving privileges for one year. Section 577.500, R.S.Mo. (2000).

Carrying a false identification card results in penalty. Any person who has in his possession a reproduced, modified or altered motor vehicle driver's license issued by any uniformed service of the United States, or any other such identification card which indicates that the person represented on the card is over 21 years of age, is guilty of a Class A misdemeanor. Section 302.220, R.S.Mo. (2000).

Consumption of alcoholic beverages in moving motor vehicle is prohibited. No person shall consume any alcoholic beverage while operating a moving motor vehicle upon the highways, as defined in section 301.010, RSMo., Section 577.017, R.S.Mo. (2000).

#### **Illicit Drug Offenses**

##### Possession of a Controlled Substance

It is unlawful for any person to possess or have control of a controlled substance.

Section 195.202, R.S.Mo. (2000).

Any person who violates this section with respect to any controlled substance except 35 grams or less of marijuana is guilty of a Class C felony, punishable by imprisonment for up to 7 years, a fine of up to \$5,000.00, or double the amount of the offender's gain from the crime up to \$20,000.00, or both imprisonment and fine.

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Section 585.011, 560.011, R.S.Mo. (2000).

Any person who violates this section with respect to not more than 35 grams of marijuana is guilty of a Class A misdemeanor, punishable by imprisonment for up to 1 year, or a fine of up to \$1,000.00, or both imprisonment and fine.

Sections 560.011, 558.011, R.S.Mo. (2000).

Any person over 21 years of age who is convicted of any local or state law involving the possession or use of a controlled substance will have his driver's license revoked for 1 year. Section 577.505, R.S.Mo. (2000).

#### Distribution, Delivery, Manufacture or Production of a Controlled Substance

It is illegal for any person to distribute, deliver, manufacture, produce or possess with intent to distribute, deliver, manufacture or produce a controlled substance.

Section 195.211, R.S.Mo. (2000).

Violation of this section with respect to any controlled substance except with respect to 5 grams or less of marijuana is a Class B felony, punishable by imprisonment for not less than 5 years and not more than 15 years. Section 558.011, R.S.Mo. (2000).

#### Unlawful Distribution to a Minor

It is illegal to distribute or deliver any controlled substance to a person under 17 years of age. Section 195.212, R.S.Mo. (2000).

Violation of this section is a Class B felony, punishable by imprisonment for not less than 5 years or more than 15 years. Section 558.011, R.S.Mo. (2000).

#### Distribution of a Controlled Substance Near Schools

It is illegal to distribute or deliver any controlled substance to a person in or on, or within 2,000 feet of, the property comprising a public or private elementary or secondary school, public vocational school, or a public or private junior college, college or university, or on any school bus. Section 195.214, R.S.Mo. (2000).

Distribution of controlled substances near schools is a Class A felony, punishable by imprisonment for a term of not less than 10 years and not exceeding 30 years, or life imprisonment. Section 558.011, R.S.Mo. (2000).

#### Trafficking Drugs

A person commits the crime of trafficking drugs in the first degree if he/she distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce:

1. More than 30 grams of a substance containing heroin;
2. More than 150 grams of a substance containing cocoa leaves;
3. More than 2 grams of a substance which contains a cocaine base;

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4. More than 500 milligrams of a substance containing LSD;
5. More than 30 grams of a substance containing PCP;
6. More than 4 grams of a substance containing phencyclidine;
7. More than 30 kilograms of a substance containing marijuana; or
8. More than 150 grams of any illegal stimulants.

Section 195.222, R.S.Mo. (2000). Violation of this law is a Class A felony, punishable by a term of a term of not less than 10 years and not exceeding 30 years, or life imprisonment. Section 195.222, 558.011 R.S.Mo. (2000)

A person commits the crime of trafficking drugs in the second degree if he/she possesses or has under his/her control, purchases or attempts to purchase, or brings into this state:

1. More than 30 grams of a substance containing heroin;
2. More than 150 grams of a substance containing cocoa leaves;
3. More than 2 grams of a substance, which contains a cocaine base;
4. More than 500 milligrams of a substance containing LSD;
5. More than 30 grams of a substance containing PCP;
6. More than 4 grams of a substance containing phencyclidine;
7. More than 30 kilograms of a substance containing marijuana; or
8. More than 150 grams of any illegal stimulants.

Section 195.223, R.S.Mo. (2000). Violation of this law is a Class B felony, punishable by a term of imprisonment of not less than 5 years or more than 15 years. Violation with larger amounts may be a Class A felony, punishable by imprisonment for a term of 10 to 30 years, or life. Section 195.223, 558.011, R.S.Mo. (2000).

Any money found in close proximity to any controlled substance, or anything of value exchanged for a controlled substance, may be forfeited to the state. Section 195.140, R.S.Mo. (2000). Any vehicle, vessel or aircraft which is used in the possession or transportation of a controlled substance may be forfeited to the state and sold at public auction. Section 195.145, R.S.Mo. (1994 Supp.).

### **FEDERAL SANCTIONS**

#### Simple Possession

It is illegal for any person to knowingly or intentionally possess a controlled substance. 21 U.S.C. Section 844 (1998 Supp.).

Violations of this section are punishable by imprisonment for up to 1 year, a minimum fine of \$1,000.00, or both. After a prior conviction for any drug offense, the violator shall be imprisoned for a term of at least 15 days and not more than 2 years, and fined a minimum of \$2,500.00. A third conviction carries a penalty of imprisonment for at least 90 days but not more than 3 years, and a minimum fine of \$5,000.00. Civil penalties up to \$10,000.00 per violation may be assessed against any individual who knowingly possesses a controlled substance as listed in Section 401(B) (1) (A) of the Controlled

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## Drug and Alcohol Abuse and Prevention

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Substance Act, where the amount in possession is determined to be a personal use amount. 21 U.S.C. Section 844 (1994).

Where a person at least 18 years of age distributes a controlled substance to any person under 21 years of age, or where a person possesses with intent to distribute, distributes or manufactures a controlled substance in or on, within 100 feet of a public or private playground, youth center, public swimming pool or video arcade facility, the punishment shall be a term of imprisonment of twice the amount of time and a fine of twice the amount above provided. A term of imprisonment shall not be less than one year. 21 U.S.C. Sections 859, 860 (1994).

Any person convicted of a drug offense under these federal laws shall forfeit to the government any property derived from or obtained directly or indirectly as a result of the violation, or any property used to commit or facilitate the violation. 21 U.S.C. Section 853 (1994).

Any person who is convicted of any federal or state offense consisting of the distribution of controlled substances may be ineligible for any and all federal benefits for a minimum of 5 years. 21 U.S.C. Section 862 (1994).

Any person who is convicted of any federal or state offense involving possession of a controlled substance may be ineligible for any and all federal benefits for a minimum of 1 year, may be required to complete drug treatment, and/or community service. 21 U.S.C. Section 862 (1998 Supp.).

Federal benefit includes any grant, contract, loan, professional license or commercial license provided by an agency of the United States or through appropriated United States funds. 21 U.S.C. 853a (1994)

This information is brought to you by the ATSU Drug Free/Alcohol Free Workplace Committee:

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