

# Alcohol, Drugs, the Law, and YOU

for SAU Students and Employees

## Dear SAU Students and Employees:

In the interest of the welfare of all students and employees, and in compliance with the legal certification requirements of the U.S. Department of Education Drug-Free Schools and Communities Act Amendments of 1989, Southern Arkansas University, Magnolia, has adopted and implemented a program to prevent the unlawful possession, use, manufacture, or distribution of illicit drugs and alcohol. Our intent is to promote a healthy, safe, and productive atmosphere whereby each person associated with the University can develop his or her talent to its fullest extent.

## Standards of Conduct

The University is committed to the maintenance of a drug-and-alcohol free environment and to a standard of conduct for employees and students that prohibits the unlawful possession, use, manufacture, or distribution of controlled substances or alcohol by students or employees on property of the University, as a part of any of the University's activities, or while conducting University business off campus. Employees must report any convictions under a criminal drug statute for violations occurring on or off University property or while conducting University business. The report must be filed within five days after the conviction with the University's Office for Administration and General Counsel. Southern Arkansas University considers its students to be adults who are personally responsible for conforming their behavior to state and local law and to the school's alcohol and other drug policy. The University respects students' privacy and autonomy, and assumes students will behave legally and responsibly. The University will avoid the use of intrusive means to verify compliance (such as room searches, package inspection, etc.) or closely monitor student activities and groups. When violations of law or policy come to the attention of University officials, however, the specified sanctions listed above will be imposed and repeat violations will be dealt with severely. The host, student groups sponsoring social events, is responsible for complying with all laws and regulations concerning alcohol.

## University Disciplinary Sanctions

As with the violation of any University rule or policy, the institution is committed to a thorough examination of the circumstances accompanying each individual case when determining the consequences. Students and employees violating the University policies on alcohol and other drugs

are subject to disciplinary sanctions that may include, but are not limited to, appropriate rehabilitation programs, expulsion, suspension, dismissal, termination of employment and/or referral to authorities for prosecution, counseling, job reassignment, University or public service, educational projects, restitution or fines, withdrawal from classes, appropriate probation conditions in order to maintain one's faculty, staff, student, or student organization status.

## Legal Sanctions

The following legal sanctions, at a minimum, may occur for violation of local, state, or federal laws:

**Driving Under the Influence (DUI):** The State of Arkansas has passed an "Underage DUI (Driving Under the Influence) Law" (Act 863) which makes it an offense for a person under the age of 21 with a blood alcohol content of .02% or greater (approximately one 12 oz. beer, one 5 oz. glass of wine, or one 1.5 oz. shot of 80 proof hard liquor) to operate a motorized vehicle. Penalties for a first offense can result in:

- (1) a fine of \$500 plus court costs
- (2) a suspended driver's license:
  - a. for 120 days if you are age 18 or older; or
  - b. for six months if you are younger than 18
- (3) assignment to perform public service work
- (4) must attend and complete a:
  - a. Driver Alcohol Treatment Course
  - b. Defensive Driving Course
  - c. Victim Impact Program

Subsequent offenses mean greater fines and longer suspensions.

**Driving While Intoxicated (DWI):** A person who drives a motorized vehicle while influenced or affected by the ingestion of alcohol, a controlled substance, or any intoxicant commits the offense of driving while intoxicated. Penalties for such offenses may include:

- (1) a fine of \$1,000 plus court costs and sentenced to jail for a period of 10 days.
- (2) nine days of the jail sentence imposed will be suspended on the following conditions:
  - a. that you attend and complete Driver Alcohol Treatment Course
  - b. that you attend and complete a Defensive Driving Course
  - c. that you attend a Victim Impact Program.
- (3) a suspended driver's license for a period of 120-180 days.

Subsequent offenses mean greater fines and longer suspensions.

**Public Intoxication:** A person commits the offense of "Public Intoxication" if (1) a person appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree that he/she is likely to endanger himself/herself or other persons or property, so that he/she unreasonably annoys persons in his/her vicinity, or (2) a person consumes an alcoholic beverage in a public place. Public intoxication is a Class C misdemeanor and can result in a fine of up to \$100 and/or imprisonment in the county jail (or other authorized institution) for up to thirty (30) days.

**Drinking in Public:** A person commits the offense of "Drinking in Public" when he/she consumes alcohol in any public place. This includes consumption while in a vehicle on a street or highway. Drinking in

Public is a Class C misdemeanor and can result in a fine of up to \$500 and/or imprisonment in the county jail (or other authorized institution) for up to 30 days.

**Possession of Alcohol by a Minor:** It is illegal for a person under the age of 21 to possess alcohol. Penalties include a fine of up to \$500 and probation under the direction of the court.

**Contribution to the Delinquency of a Minor:** A person commits the offense of “Contributing to the Delinquency of a Minor” if, being an adult, he/she knowingly purchases for or provides alcoholic beverage to a minor. Such an offense is a Class A misdemeanor and can result in (1) a fine of up to \$1,000 and/or (2) imprisonment in the county jail (or other authorized institution) for up to one full year.

**Manufacture or Delivery of a Controlled Substance:** It is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance. Penalties for the creation and/or delivery of a counterfeit substance can range from one (1) day in the County Jail up to thirty (30) years in prison and fines up to \$15,000, depending on the type of drug being counterfeited.

**Possession of a Controlled Substance:** It is unlawful for any person to possess a controlled substance without a valid prescription from a medical practitioner. Penalties for possession of a controlled substance, generally for personal use, can range from one (1) day in the County Jail to ten (10) years in prison and a fine not exceeding \$10,000. Controlled substances include prescription drugs, marijuana, cocaine, amphetamines, L.S.D., and designer drugs.

**Possession of a Controlled Substance With Intent to Deliver (sell):** It is unlawful for any person to possess a controlled substance with the intent to deliver or sell. Penalties for possession of a controlled substance with intent to deliver depends upon the type and the weight of the drug. Penalties for possession of marijuana with intent to deliver range from four (4) years to twenty (20) years in prison and fines not exceeding \$50,000. Penalties for possession of narcotic drugs with intent to deliver range from ten (10) years to life and fines not exceeding \$250,000.

**Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance.** First conviction: Up to one (1) year imprisonment and a fine of at least \$1,000, but not more than \$100,000 or both. After one prior drug conviction: At least fifteen (15) days in prison, not to exceed two (2) years, and a fine of at least \$2,500, but not more than \$250,000 or both. After two (2) or more prior drug convictions: At least ninety (90) days in prison, not to exceed three (3) years, and a fine of at least \$5,000, but not more than \$250,000 or both. Special sentencing provisions for possession of crack cocaine are mandatory five (5) to twenty (20) years in prison and a fine of up to \$250,000; both if (a) first conviction and the amount of crack possessed exceeds five (5) grams, (b) second crack conviction and the amount of crack possessed exceeds three (3) grams. Personal and real property used to possess or to facilitate possession of a controlled substance may be forfeited if that offense is punishable by more than one (1) year imprisonment. Vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance may also be forfeited. Additional sanctions include civil fines of up to \$10,000; denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one (1) year for first offense, up to five (5) years for second and subsequent offenses; and ineligible to receive or purchase a firearm. Other sanctions vested within the authorities of individual federal agencies are revocation of certain federal licenses and benefits such as pilot licenses and public housing.

Recently in an effort to combat Methamphetamine, legislation was enacted to control ephedrine, pseudoephedrine and phenol propanolamine. Possession of more than five (5) grams of ephedrine or

more than nine (9) grams of pseudoephedrine is a felony and evidence of the intent to manufacture methamphetamine.

## Health Risks Associated with Alcohol Abuse and the Use of Illicit Drugs

**Alcohol:** Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgement and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce effects just described. Repeated use of alcohol can lead to dependence. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than others of becoming alcoholics.

**Cocaine:** It stimulates the central nervous system. Its immediate effects include dilated pupils, brief intense euphoria, elevated blood pressure and heart rate, restlessness, excitement, feeling of well-being followed by depression. Chronic use can ulcerate the mucous membrane of the nose. It can produce psychological and physical dependency; a feeling that the user cannot function without the drug.

**Cannabis (Marijuana, Hashish):** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, reduce coordination, energy level, and create hunger. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

**Hallucinogens:** PCP and LSD are the most prevalent. PCP interrupts the section of the brain that controls intellect and keeps instincts in check. Violent PCP episodes may result in self-inflicted injuries. Chronic users report persistent memory problems and speech difficulties. The effects of LSD are generally well known; it causes illusions and hallucinations (flashbacks can occur even after use has ceased).

**Narcotics:** Narcotics, such as heroin, produce an initial feeling of euphoria that is often followed by drowsiness, insensitivity to pain, nausea, vomiting, watery eyes. Tolerance develops rapidly and dependence is likely.

**Amphetamines:** Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

**Heroin:** Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

## **Biennial Review of Policies and Programs**

The Southern Arkansas University Drug Control Strategy Committee will conduct a biennial review of the policies described in this publication to determine their effectiveness, implement changes to these policies if they are needed, and ensure that the disciplinary sanctions described herein are consistently enforced.

## **Counseling, Treatment, or Rehabilitation Resources**

There are a number of groups, offices, agencies, and hospitals in south Arkansas that offer drug treatment and rehabilitation services and programs. Additional resources can be located in the yellow pages of the telephone

directory under the headings "Alcoholism Information and Treatment Centers" and "Drug Abuse and Addiction

Information and Treatment."

### **Alcohol and Drug Abuse Prevention Team (ADAPT)**

The ADAPT program promotes the prevention of alcohol and other drug abuse.

### **Student Activities**

MSC 9146

Magnolia, AR 71753

(870) 235-4925

### **Office of Counseling and Testing**

MSC 9376

Magnolia, AR 71753

(870) 235-4145

### **University Health Services**

MSC 9210

Magnolia, AR 71753

(870) 235-5237

### **Ouachita Medical Center Chemical Dependency Unit**

Ouachita Medical Center

638 California Ave.

Camden, AR 71701

(870) 836-1000, 1-800-232-1289

### **Southwest Arkansas Counseling & Mental Health Center, Inc.**

2904 Arkansas Boulevard, P.O. Box 1987

Texarkana, AR 71854

(870) 773-4655, 1-800-652-9166

**South Arkansas Regional Health Center**

715 N. College, El Dorado, AR (870) 862-7921

412 N. Vine, Magnolia, AR (870) 234-7500

211 Jackson, Camden, AR (870) 836-5743