



## **Drug & Alcohol Abuse Prevention Program**

### ***Conduct Statement***

No student or university employee may possess, use, or distribute any form of alcoholic beverage or illegal drugs while on university property, and no student or employee may be under the influence of an alcoholic beverage or illegal drug while on university property.

### ***University Enforcement***

Violation of the conduct statement by students or employees will result in disciplinary action. Such action may take the form of suspension or expulsion for students and termination of employment for employees. All violations will be referred to the appropriate law enforcement agency.

### ***Health Risks***

Any substance when used to abuse will produce health problems. Specifics of the health risks depend upon the substance used as well as the amount and period of time in which the substance was consumed. Health hazards include: problems with body organs (heart, liver, lungs, kidneys), physiological processes (impaired brain activity, digestion problems, and blood circulation), and mental/emotional health (loss of memory, impaired judgment, personality disorders). Please read the following information on the health risks involved with drug and alcohol abuse.

#### **Risks Associated with Substance Abuse**

**Alcohol:** Impaired judgment, nausea, vomiting, confusion, impaired coordination, memory loss, reduced respiratory rate, lowered body temperature, muscle paralysis, heart disease, high blood pressure, stroke, cancer, bone marrow damage, impotence and damage to sexual organs, intestinal bleeding, inflammation of the pancreas

**Marijuana:** Interrupts linear memory, nausea, upper respiratory problems, agitation, anxiety, paranoia, headaches, dizziness, confusion. Regular users can develop amotivational syndrome.

**K2, Spice and Other 'Synthetic Marijuana':** Anxiety, racing heart, blood pressure spikes, chest pain, paranoia, nausea, seizures, hallucinations. May contain many unknown contaminants.

**Salvia Divinorum:** Disconnection from reality and environment, hallucinations, extreme fear and paranoia possible.

**Cocaine:** Irritability, restlessness, insomnia, anxiety, paranoia, increased heart rate, blood pressure, increased body temperature, malnutrition

**Amphetamine, Methamphetamine:** Sweating, disturbed sleep, itching, nausea, vomiting, diarrhea, shortness of breath, irritability, moodiness, anxiety, twitching, panic, paranoia, delusions of grandeur, malnutrition, aggression, violent behavior, severe depression, suicidal tendencies

**MDMA:** Appetite suppression, visual distortion, increased heart rate, increased blood pressure, increased body temperature, restlessness, nervousness, shivering, jaw clenching, teeth grinding, tongue & cheek chewing, difficulty concentrating, short term memory loss, confusion, muscle tension, sexual dysfunction, dehydration, nausea, vomiting, headaches, dizziness, impaired coordination

**GHB:** Dizziness, slurring of speech, decreased motor skills, difficulty focusing eyes, nausea, vomiting, grogginess, unconsciousness, disorientation, convulsions, and decreased respiratory rate

**Benzodiazepines:** Upset stomach, tremors, confusion, dizziness, clumsiness, dry mouth, memory impairment, headache, decreased blood pressure, reduced reflexes

**Heroin and other opiates:** Inability to concentrate, pin-point pupils, droopy eyelids, limited vision, slowed breathing, nausea, vomiting, decreased appetite, constipation, decreased sex drive, increased urination, itching, low body temp, sweating, liver damage, kidney damage, bacterial infections related to use of needles

**Inhalants:** Disorientation, dizziness, loss of cognitive abilities, emotional volatility, memory loss, impaired coordination, loss of consciousness, visual disturbances, muscle spasm/weakness, nausea, rapid/irregular heartbeat, decreased blood pressure, decreased respiratory rate, sneezing, coughing, increased thirst, irritated eyes, nose, and mouth, dementia, sudden inhalant death syndrome

**DXM, Dextromethorphan:** Decreased sexual functioning, confusion, disorientation, upset stomach, vomiting, dizziness, itching, rash, red blotchy skin, diarrhea, fever, tachycardia

**LSD, Psilocybin Mushrooms:** Anxiety, difficulty focusing, tension, jaw tension, increased perspiration, nausea, dizziness, confusion, paranoia, panic, fear

**Steroids:** Acne, Jaundice, trembling, swelling of feet and ankles, HDL reduction, high blood pressure, liver damage, cancer, aching joints, mood swings, depression, delusions, uncontrollable anger, aggressiveness, manic episodes, paranoid jealousy, irritability, impaired judgment.

*Gender Specific Risks:*

Males: Shrinking of the testicles, reduced sperm count, impotence, baldness, urinary track problems, development of breasts, enlarged prostate;

Females: Growth of facial hair, menstrual problems, enlargement of the clitoris, deepened voice, breast reduction

**\*\*Damage from intravenous drug use:** In addition to the adverse effects associated with the use of a specific drug, intravenous drug users who use unsterilized needles or who share needles with other drug users can develop HIV, hepatitis, tetanus (lock jaw), and infections in the heart. Permanent damage can result.

### ***Available Treatment***

Amberton University encourages students and employees who are experiencing substance abuse problems to seek assistance from resources available to them within their communities, such as agencies and self-help groups. Some resources in the Dallas/Ft. Worth region include:

Green Oaks Hospital: (972) 770-0883

Oak Lawn Community Services: (214) 520-8108

For treatment options in your local area, please contact your local Health & Human Services Department or visit The Substance Abuse and Mental Health Services Administration website,

<http://www.samhsa.gov/>

### ***Legal Sanctions***

Legal sanctions (local, State, or Federal depending on the offense) will be enforced against any person on university property who violates the conduct statement. Legal penalties range from misdemeanors (usually fines) to felonies (usually fines and/or confinement) depending upon the nature of the substance and the amount possessed and/or distributed. Please review the following information for State and Federal offenses and penalties.

# Texas State Law and Penalties for Controlled Substances

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## Texas Statutes

### Manufacture or delivery of controlled substances (drugs)

- Minimum Punishment: Confinement in jail for a term of not more than 2 yrs. or less than 180 days, and a fine not to exceed \$10,000
- Maximum Punishment: Confinement in TDC for life or for a term of not more than 99 years nor less than 15 years, and a fine not to exceed \$250,000

### Possession of controlled substances (drugs)

- Minimum Punishment: Confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000 or both
- Maximum Punishment: Confinement in TDC for life or for a term of not more than 99 years nor less than 10 years, and a fine not to exceed \$250,000

### Delivery of marijuana

- Minimum Punishment: Confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000 or both
- Maximum Punishment: Confinement in TDC for life or for a term of not more than 99 years nor less than 10 years, and a fine not to exceed \$100,000

### Possession of marijuana

- Minimum Punishment: Confinement in jail for a term of not more than 180 days, a fine not to exceed \$2,000 or both
- Maximum Punishment: Confinement in TDC for life or for a term of not more than 99 years nor less than 5 years, and a fine not to exceed \$50,000

### Driving while intoxicated (includes intoxication from alcohol, drugs, or both)

- Minimum Punishment: Confinement in jail for a term of not more than 180 days nor less than 72 hours, and a fine of not more than \$2,000
- Maximum Punishment: Imprisonment for a term of not more than 10 years nor less than 2 years, and a fine not to exceed \$10,000

### Public intoxication - Class C misdemeanor

- Minimum Punishment: A fine not to exceed \$500

### Purchase of alcohol by a minor

- Minimum Punishment: A fine not to exceed \$500

### Consumption or possession of alcohol by a minor

- Minimum Punishment: A fine not to exceed \$500

### Providing alcohol to a minor - Class A misdemeanor

- Punishment: A fine not to exceed \$4000 or confinement in jail for a term not to exceed one year or both

## I. Criminal Penalties:

- A **Class C misdemeanor** is punishable by a fine not to exceed \$500.

- A **Class B misdemeanor** is punishable by a fine not to exceed \$2000; confinement in jail for a term not to exceed 180 days; or both fine and confinement.
- A **Class A misdemeanor** is punishable by a fine not to exceed \$4000; confinement in jail for a term not to exceed one year; or both fine and confinement.
- A **state jail felony** is punishable by confinement in a state jail for any term of not more than 2 years or less than 180 days and by a fine not to exceed \$10,000.
- A **3rd degree felony** is punishable by imprisonment for any term of not more than 10 years or less than 2 years and a fine not to exceed \$10,000.
- A **2nd degree felony** is punishable by imprisonment for any term of not more than 20 years or less than 2 years and a fine not to exceed \$10,000.
- A **1st degree felony** is punishable by imprisonment for life or for any term of not more than 99 years or less than 5 years and a fine not to exceed \$10,000.

## II. Offenses:

### ***A. Offense of manufacture or delivery of controlled substances***

These offenses are set out in Sections 481.112, 481.1121, 481.113, and 481.114, Texas Health and Safety Code, which vary the offense and punishment based upon two factors: the type of drug (which schedule it is listed under) and the quantity of the drug involved in the offense. Section 481.032, Texas Health and Safety Code, contains long lists of drugs that are in schedules 1, 1-A, 2, 3, 4, and 5. Additional controlled substances are added to these schedules each year.

Section 481.112, Texas Health and Safety Code, deals with Penalty Group 1 drug offenses: less than 1 gram is a state jail felony; more than 1 gram and less than 4 grams is a 2nd degree felony; more than 4 grams and less than 200 grams is a 1st degree felony; more than 200 grams and less than 400 grams is life imprisonment or a term of 10 to 99 years and up to a \$100,000 fine; more than 400 grams is life imprisonment or a term of 10 to 99 years and up to a \$250,000 fine.

Section 481.1121, Texas Health and Safety Code, deals with Penalty Group 1-A drug offenses: number of abuse units less than 20 is a state jail felony; number of abuse units more than 20 and less than 80 is a 2nd degree felony; number of abuse units more than 80 and less than 4000 is a 1st degree felony; more than 4000 units is life imprisonment or a term of 15 to 99 years and up to a \$250,000 fine.

Section 481.113, Texas Health and Safety Code, deals with Penalty Group 2 drug offenses: less than 1 gram is a state jail felony; more than 1 gram and less than 4 grams is a 2nd degree felony; more than 4 grams and less than 400 grams is a 1st degree felony; and more than 400 grams is life imprisonment or a term of 10 to 99 years and up to a \$100,000 fine.

Section 481.114, Texas Health and Safety Code, deals with Penalty Group 3 and 4 drug offenses: less than 28 grams is a state jail felony; more than 28 grams and less than 200 grams is a 2nd degree felony; more than 200 grams and less than 400 grams is a 1st degree felony; and more than 400 grams is life imprisonment or a term of 10 to 99 years and up to a \$100,000 fine.

### ***B. Offense of Possession of Controlled Substances***

These offenses are set out in Sections 481.115, 481.116, 481.117, and 481.118, Texas Health and Safety Code, which vary the offense and punishment based upon two factors: the type of drug (which schedule

it is listed under) and the quantity of the drug involved in the offense. Section 481.032, Texas Health and Safety Code, contains long lists of drugs that are in schedules 1, 1-A, 2, 3, 4, and 5. Additional controlled substances are added to these schedules each year.

Section 481.115, Texas Health and Safety Code, deals with Penalty Group 1 drug offenses: less than 1 gram is a state jail felony; more than 1 gram and less than 4 grams is a 3rd degree felony; more than 4 grams and less than 200 grams is a 2nd degree felony; more than 200 grams and less than 400 grams is a 1st degree felony; more than 400 grams is life imprisonment or a term of 10 to 99 years and up to a \$100,000 fine.

Section 481.1151, Texas Health and Safety Code, deals with Penalty Group 1-A drug offenses: number of abuse units less than 20 is a state jail felony; number of abuse units more than 20 and less than 80 is a 3rd degree felony; number of abuse units more than 80 and less than 4000 is a 2nd degree felony; more than 4000 units and less than 8000 units is a 1st degree felony; and more than 8000 units is life imprisonment or a term of 15 to 99 years and up to a \$250,000 fine.

Section 481.116, Texas Health and Safety Code, deals with Penalty Group 2 drug offenses: less than 1 gram is a state jail felony; more than 1 gram and less than 4 grams is a 3rd degree felony; more than 4 grams and less than 400 grams is a 2nd degree felony; and more than 400 grams is life imprisonment or a term of 5 to 99 years and up to a \$50,000 fine.

Section 481.117, Texas Health and Safety Code, deals with Penalty Group 3 drug offenses: less than 28 grams is a Class A misdemeanor; more than 28 grams and less than 200 grams is a 3rd degree felony; more than 200 grams and less than 400 grams is a 2nd degree felony; and more than 400 grams is life imprisonment or a term of 5 to 99 years and up to a \$50,000 fine.

Section 481.118, Texas Health and Safety Code, deals with Penalty Group 4 drug offenses: less than 28 grams is a Class B misdemeanor; more than 28 grams and less than 200 grams is a 3rd degree felony; more than 200 grams and less than 400 grams is a 2nd degree felony; more than 400 grams is life imprisonment or a term of 5 to 99 years and up to a \$50,000 fine.

### ***C. Offense of Delivery of Marijuana***

Section 481.120, Texas Health and Safety Code, deals with delivery of marijuana offenses: less than one quarter ounce is a Class B misdemeanor if delivery is without compensation; less than one quarter ounce is a Class A misdemeanor if delivery is for compensation; more than one quarter ounce and less than five pounds is a state jail felony; more than five pounds and less than 50 pounds is a 2nd degree felony; more than 50 pounds and less than 2000 pounds is a 1st degree felony; and more than 2000 pounds is life imprisonment or a term of 10 to 99 years and a fine not to exceed \$100,000.

### ***D. Offense of Possession of Marijuana***

Section 481.121, Texas Health and Safety Code, deals with possession of marijuana offenses: less than 2 oz. is a Class B misdemeanor; more than 2 oz. and less than 4 oz. is a Class A misdemeanor; more than 4 oz. and less than five pounds is a state jail felony; more than five pounds and less than 50 pounds is a 3rd degree felony; more than 50 pounds and less than 2000 pounds is a 2nd degree felony; and more than 2000 pounds is life imprisonment or a term of 5 to 99 years and a fine not to exceed \$50,000.

### ***E. Offense of Delivery of Controlled Substance or Marijuana to Minor***

Section 481.122, Texas Health and Safety Code, deals with the offense of the delivery of a controlled substance or marijuana to a minor (17 years of age or younger) and provides that the offense is a 2nd degree felony punishable by imprisonment for a term of not more than 20 years or less than 2 years and a fine not to exceed \$10,000.

***F. Offense of Driving while Intoxicated (drugs or alcohol)***

Sections 49.04, 49.09, Texas Penal Code, provide that the offense of driving while intoxicated is punishable as a Class B misdemeanor with a minimum term of confinement of 72 hours unless the driver had an open container of alcohol in his possession in which case the offense is a Class B misdemeanor with a minimum term of confinement of six days in jail. One prior conviction enhances the punishment to a Class A misdemeanor with a minimum term of confinement of 30 days; two prior convictions enhances the punishment to a 3rd degree felony.

***G. Offense of Consumption or Possession of Alcohol in Motor Vehicle***

Section 49.03, Texas Penal Code, provides that the penalty for the offense of consumption of an alcoholic beverage while operating a motor vehicle in a public place is a Class C misdemeanor.

***H. Offense of Public Intoxication***

Section 49.02, Texas Penal Code, provides that the offense of public intoxication wherein a person appears in a public place while intoxicated to the degree that the person may endanger himself or another person is punishable as a Class C misdemeanor, unless the person is younger than 21 years old, wherein Sections 106.071 and 106.115, Texas Alcoholic Beverage Code apply and provide for a Class C misdemeanor punishment and attendance at an alcohol awareness program, and where the offender has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.

***I. Offense of Purchase of Alcohol by a Minor***

Sections 106.02, 106.071, and 106.115, Texas Alcoholic Beverage Code, provide that the offense of the purchase of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and when the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.

***J. Offense of Consumption of Alcohol by Minor***

Sections 106.04, 106.071, and 106.115, Texas Alcoholic Beverage Code, provide that the offense of consumption of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and where the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40

hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.

***K. Offense of Possession of Alcohol by Minor***

Sections 106.05, 106.071, and 106.115, Texas Alcoholic Beverage Code, provide that the possession of alcohol by a minor is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and where the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.

***L. Offense of Sale of Alcohol to a Minor***

Section 106.03, Texas Alcoholic Beverage Code, provides that the penalty for selling alcohol to a minor is a Class A misdemeanor.

***M. Offense of Purchase of Alcohol for a Minor or Furnishing Alcohol to a Minor***

Section 106.06, Texas Alcoholic Beverage Code, provides that the penalty for purchasing alcohol for a minor or giving or making available an alcoholic beverage to a minor is a Class B misdemeanor.

***N. Offense of Misrepresentation of Age by a Minor to Person Selling or Serving Alcoholic Beverages***

Sections 106.07, 106.071, and 106.115, Texas Alcoholic Beverage Code, provide that the penalty for misrepresentation of age by a minor to a person selling or serving alcoholic beverages is punishable as a Class C misdemeanor and attendance at an alcohol awareness program, and where the offender is a minor previously convicted twice for alcohol-related offenses, a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both fine and imprisonment; community service of 8 to 40 hours; suspension of Texas Driver's License for 30 to 180 days and attendance at an alcohol awareness program.



**Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)**

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily 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.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

Substance/Quantity	Penalty
Any Amount Of Other Schedule I & II Substances	<b>First Offense:</b> 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 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.
Any Drug Product Containing Gamma Hydroxybutyric Acid	
Flunitrazepam (Schedule IV) 1 Gram	
Any Amount Of Other Schedule III Drugs	<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily 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.
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<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.
Any Amount Of All Schedule V Drugs	<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 for Marijuana, Hashish and Hashish Oil, Schedule I Substances**

<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p><b>First Offense:</b> 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.</p> <p><b>Second Offense:</b> 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.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p><b>First Offense:</b> 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.</p> <p><b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p><b>First Offense:</b> 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.</p>
<p>Hashish More than 10 kilograms</p>	<p><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 other than an individual.</p>
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)  1 to 49 marijuana plants</p>	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	