Federal and State Drug Law

FEDERAL

Penalty for Possession of Schedule I Drugs:
First offense: 10–Life, 10 year mandatory min.; if death or serious injury, 20 year min; up to $4 million fine individual, $10 million other than individual.
Second offense: 20–Life, 20 year min., if death or serious injury, not less than life; up to $8 million fine individual, $20 million other than individual.

Penalty for Possession of Schedule II Drugs:
First offense: 5–40 years, 5 year mandatory min.; if death or serious injury, 20 year min.; up to $2 million fine individual, $5 million other than individual.
Second offense: 10–Life, 10 year min.; if death or serious injury, not less than life; up to $4 million fine individual, $10 million other than individual.

Penalty for Possession of Schedule III Drugs:
First offense: 0–5 years; up to $250,000 fine individual, $1 million other than individual.
Second offense: 0–10 years; up to $500,000 fine individual, $2 million other than individual.

Penalty for Possession of Schedule IV Drugs:
First offense: 0–3 years; up to $250,000 fine individual, $1 million other than individual.
Second offense: 0–6 years; up to $500,000 fine individual, $2 million other than individual.

Penalty for Possession of Schedule V Drugs:
First offense: 0–1 year; up to $100,000 fine individual, $250,000 other than individual.
Second offense: 0–2 years; up to $200,000 fine individual, $500,000 other than individual.

STATE

First Degree. Sale: 10+ grams of cocaine, 50+ grams of other narcotics, 200+ doses of hallucinogen, 50+ marijuana.
Possession: 25+ grams of cocaine, 500+ grams of other narcotics, 500+ doses hallucinogen, 100+ k of marijuana. Penalty: 0–30 years, 4 year mandatory minimum if prior drug felony; up to $1 million fine.

Second Degree. Sale: 3+ grams cocaine, 10+ grams of other narcotic, 50 doses hallucinogen, 25+ k marijuana or sale of Schedule I or II drug narcotic, either to a person under 18 or in a school, park, or public housing zone.
Possession: 6+ grams cocaine, 50+ grams of other narcotic, 100+ doses hallucinogen, 25+ k marijuana. Penalty: 0–25 years, 3 year mandatory minimum if prior drug felony; up to $500,000 fine.

Third Degree. Sale: Narcotic, 10+ doses hallucinogen, 5+ kilos marijuana or sale of any Schedule I, II or III drug (except a Schedule I or II narcotic or marijuana) to a person under 18 or employment of a person under 18 to sell same.
Possession: 3+ grams cocaine, 10+ grams of other narcotic, 10+ k of marijuana and any amount of Schedule I or II narcotic in a school, park or public housing zone. Second Penalty: 0–20 years, 2 year mandatory min. if prior drug felony; up to $250,000 fine.

Fourth degree. Sale: Any schedule I, II, III drug (except marijuana), or sale of marijuana in a school, park, or public housing zone.
Penalty: 0–15 years, 1 year mandatory min. if prior felony; up to $100,000 fine.

Fifth Degree. Sale: Marijuana or any schedule IV drug.
Possession: All Schedule I, II, III, or IV drugs except 42.5 grams or less of marijuana.
Penalty: 0–5 years, 6 month mandatory min. if prior drug felony; up to $10,000 fine.

Schedule Drugs
I. Heroin, LSD, mescaline and peyote, amphetamine variants, marijuana, other hallucinogens.
II. Oxymorphone, codeine, methadone, cocaine, barbiturates.
III. Anabolic steroids, oxymorphone, codeine, methadone, barbiturates, other narcotics, stimulants, and depressants.
IV. Barbiturates, benzodiazepines, chloral hydrate, other narcotics, stimulants and depressants.
V. Opium, codeine, other narcotics and depressants.

Health Risks
Alcohol: Damage to heart, liver, and/or brain nerve cells, lung cancer, bronchitis, infections. Depressants: (Alcohol, valium, quaaludes, downers, etc.) Irreversible brain or nervous system damage, damage to heart, liver, and/or pancreas, coma, death from overdose.
HALLUCINOGENS: (LSD, PCP, angel dust, mushrooms, etc.) Agitation, hyperactivity, convulsions, death.
Inhalants: (Solvents, aerosol sprays, paint thinner, glue, etc.) Damage to nervous system and brain, heart failure, seizures.
Narcotics: (Codeine, heroin, opium, etc.) Respiratory arrest, coma, death due to overdose.
Steroids: (Roids, juice, d-ball, etc.) Acne, liver and kidney damage, heart disease, gallstones, kidney stones, liver cancer, impotence and sterility in men. Stimulants: (Cocaine, crack, uppers, ritalin, preludes, etc.) Headaches, depression, psychosis, cardiac arrest, convulsions, coma, death.

The abuse of alcohol and drugs has a way of creating turmoil, not just with the law and with one’s body; abuse also can create havoc with emotions which leads to a variety of problems.

COMMUNITY RESOURCES
Carlton County Human Services Adult Unit
879-4511
Mash-Ka-Wisen Indian Treatment Center
879-6731
Phoenix Treatment Center 879-1223
Carlton County Human Services Center
879-4583
AA/Alanon 879-9884

Fond du Lac Tribal & Community College is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools. For additional information regarding accreditation, assessment, and other areas related to academic accountability, contact the Commission at (312) 263-0456, or view the website at www.ncahohe.org.

Fond du Lac Tribal & Community College is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law.

This document is available in alternative formats to individuals with disabilities by calling (218) 879-0805.

January 2007
Campus Policy

Fond du Lac Tribal and Community College does not encourage the use of, nor condone the misuse of, alcoholic beverages and other drugs. The unlawful use, possession, or distribution of alcohol or illegal drugs at College-sponsored events is prohibited by federal and state law. Students who use, possess or distribute alcohol or illegal drugs on campus will be subject to disciplinary action as set forth in the College's code of conduct and civil and state laws. This prohibition extends to any person on College grounds, whether he or she is a member of the College community or not. Minnesota statute defines “alcoholic beverage” as any beverage containing more than one-half of one percent alcohol by volume.

Sanctions may include but are not limited to:
- Confiscation of any alcohol, drugs, or paraphernalia
- Conduct warnings or probation
- Counseling or medical referral
- Removal from residence hall
- Suspension or expulsion from the college
- Referral to law enforcement agencies for prosecution of charges

Athletes are also subject to being declared ineligible for play for the remainder of the season or entire enrollment at Fond du Lac Tribal and Community College.

Philosophy

The goal of Fond du Lac Tribal and Community College is to create an environment which is free of alcohol and other drugs. The College supports those who choose a lifestyle free of chemicals and offers support groups on campus to those in recovery.

Drug and Alcohol Free Campus

Fond du Lac Tribal and Community College and Minnesota State Colleges and Universities (MNSCU) prohibit the use and/or possession of alcohol and other drugs on campus. According to the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) and Minnesota Statutes 152 Prohibited Drugs, 340A Liquor Act, and 624.71 Liquors in Certain Buildings or Grounds, Fond du Lac Tribal and Community College has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by its students and employees. Students and employees receive drug and alcohol education materials annually.

Standards of Conduct

Standards of conduct, as outlined below, apply to all students, employees, and visitors at Fond du Lac Tribal and Community College.

No student, employee, or visitor shall use, manufacture, sell, give away, barter, exchange, or distribute a controlled substance or drug paraphernalia as defined in Minnesota Statutes, Chapter 152, while on campus or while involved in a college activity, service, project, program, or work situation off campus.

No student, employee, or visitor shall possess a controlled substance, 1) while on campus, or 2) while involved in college activity, service, project, program, or work situation off campus except when the possession is for the person’s own use and is authorized by law.

Except as allowed by Minnesota Statute 624.701, no student, employee, or visitor shall introduce upon, or have possession upon any college campus, or while involved in a college activity, service, project, program, or work situation, any alcoholic beverage as defined in Minnesota Statute 340.101.

Employees working on federal grants or contracts who are convicted of a criminal drug statute violation occurring in the work place are required to inform the principal campus administrator of the fact within five calendar days of conviction. The college will notify the federal government within ten days after receiving notice of such an employee being convicted of a criminal drug statute violation occurring in the work place.

No employee shall report to work and no student or visitor shall report to campus while under the influence of alcohol or a controlled substance (except as prescribed by a physician), which affects alertness, coordination, reaction, response, judgment, decision-making, or safety.

Sanctions

College sanction for violation of the preceding policy will result in the following consequences, with the possibility of other sanctions to be determined by the Vice President of Administration and Student Affairs.

First Offense

Student meets with the Vice President of Administration and Student Affairs and counselor to review the violation. A $25 fine must be paid within ten days; after ten days the fine will increase to $50 and be placed on the student’s account.

Second Offense

Student meets with the Vice President of Administration and Student Affairs and counselor to review the violation. A $50 fine must be paid within ten days; after ten days the fine will increase to $75 and be placed on the student’s account. Voluntary participation in chemical dependency counseling may result.

Third Offense

Student meets with the Vice President of Administration and Student Affairs and counselor to review to violation. A $100 fine must be paid within ten days; after ten days it will be placed on the student’s account. A chemical dependency assessment must be done at this time. There is a possibility of suspension or dismissal from the college.

Alcohol Violations

Minnesota has many statutes which regulate and control alcohol use and misuse. Fines and penalties are given on the basis of minimum requirements and prior violations. Some crimes and violations are as follows:

Driving under the influence (blood alcohol content .08)

First offense: $700 fine, max. 90 days in jail, revocation of driver license min. 30 days.
Second offense (within 5 years): $3000 fine, max. One year in jail, revocation of license min. 90 days.

Persons under the age of 21

Misdemeanors: Consumption and possession unless in parent or guardian’s home, purchase or attempts to purchase alcohol, entering licensed premises, misrepresenting age.

Aiding Minors

Gross Misdemeanor: To sell, furnish or give a minor alcohol, to induce a minor to purchase alcohol, to lend or permit use of license to a minor.

Additional Risks

Many students consider drinking to be normal and respectable, but many people forget that the abuse of alcohol can cause serious physical and mental problems.

- Emotional problems
- Difficulty at work
- Family turmoil
- Legal problems
- Health problems
- Spiritual struggle
- Memory loss
- Financial difficulties
- Relationship tension
- Trouble dealing with reality
- Intellectual barriers
- Poor academic performance
- Loss of muscle control
- Impaired judgement
- Impaired thinking and reasoning processes
- Loss of inhibitions
- Social conflict
- Accidents and injuries