



# Drug Free Schools and Campuses Act

ANNUAL  
NOTIFICATION  
REPORT

Syracuse University



## Annual Notification of Drug and Alcohol Policies & Programs

As a requirement of the Drug-Free Schools and Campuses Act regulations (EDGAR Part 86), Syracuse University is required to disseminate drug and alcohol policies and information to all students and employees on an annual basis. The purpose of this notification is to provide the campus community with details about the standards of conduct, policies, sanctions, legal penalties and health information relating to drugs and alcohol. Questions about this information may be directed to the Office of Risk Management and Regulatory Compliance at 315.443.4011 or [riskadmin@syr.edu](mailto:riskadmin@syr.edu).

## Prevention and Education

Syracuse University uses multiple strategies to provide comprehensive education and prevention regarding alcohol and other drugs. Notable programs include:

- *Think About It: Turning Points* ([home.campusclarity.com/programs/student-programs/turning-points](http://home.campusclarity.com/programs/student-programs/turning-points)) is an online alcohol and sexual assault prevention and education program at Syracuse University. All first-year and transfer students are required to complete this program. Student feedback, along with assessment data, demonstrate that this program has been well-received by our students and has resulted in significant knowledge gained in regard to both substance abuse and sexual violence. To date, more than 15,500 Syracuse University students have completed Think About It.
- BeWise social marketing campaign ([healthpromotion.syr.edu/alcohol/about-the-be-wise-campaign.html](http://healthpromotion.syr.edu/alcohol/about-the-be-wise-campaign.html)) and BeWise Student Peer Educators ([bewise.syr.edu/become-a-be-wise-peer-educator](http://bewise.syr.edu/become-a-be-wise-peer-educator)) provide education to students about how to consume alcohol safely if they choose to drink, how to recognize warning signs of alcohol poisoning and how to get help in the event of an alcohol-related emergency.
- The Office of Health Promotion, the Counseling Center and the Office of Fraternity and Sorority Affairs partner to deliver multiple training sessions to officers of fraternities and sororities before they can register for social events with the Office of Fraternity and Sorority Affairs. The training addresses safer alcohol use, and the connection between alcohol use, bystander intervention strategies, and sexual consent.

Additionally, the Office of Health Promotion coordinates educational programming regarding substance use prevention for the Syracuse University community. Requests for programming are made by a variety of audiences including, but not limited to: classes, residence halls, student groups, fraternities and sororities, and athletic teams. Programs are facilitated by BeWise Peer Educators and trained staff members. To request a program, please visit [healthpromotion.syr.edu](http://healthpromotion.syr.edu) and complete a program request form. For more information on education and prevention efforts, contact the Office of Health Promotion at [healthpromotion@syr.edu](mailto:healthpromotion@syr.edu) or 315.443.7273. More information regarding alcohol and other drugs prevention and education can also be accessed at [healthpromotion.syr.edu/health-topics/alcohol.html](http://healthpromotion.syr.edu/health-topics/alcohol.html).

From time to time during the academic year, the University may sponsor workshops or seminars and may distribute informational materials dealing with the dangers of substance abuse.

The following prevention, education, and treatment resources are available:

## On-Campus Resources

- **OPTIONS Program:** 200 Walnut Pl., 315.443.4715  
[counselingcenter.syr.edu/substance-abuse/options\\_program.html](http://counselingcenter.syr.edu/substance-abuse/options_program.html)  
A program within the Counseling Center, provides assessment, intervention, education, and referral services for all full-time students who experience problems or have concerns about their use of alcohol or other drugs. Like all Counseling Center services, it is free and confidential. Students may self-refer or be mandated through a variety of University departments. All services are provided by certified, licensed, or license-eligible therapists.
- **Counseling Center:** 200 Walnut Pl., 315.443.4715  
[counselingcenter.syr.edu](http://counselingcenter.syr.edu)  
Provides short-term counseling, crisis counseling, and referrals.
- **Office of Student Assistance:** 306 Steele Hall, 315.446.4357/  
[studentassistance@syr.edu](mailto:studentassistance@syr.edu) [studentassistance.syr.edu/our-services/index.html](http://studentassistance.syr.edu/our-services/index.html)  
Provides support to students in many ways, including consultation, outreach, intervention, monitoring, and support plans.
- **Office of Health Promotion:** 111 Waverly Ave., 315.443.7196 |  
[healthpromotion@syr.edu](mailto:healthpromotion@syr.edu) [healthpromotions.syr.edu](http://healthpromotions.syr.edu)  
Provides prevention and education essential to students' health, well-being, and safety, including sexual and relationship violence, alcohol use and mental health.
- **Carebridge Faculty and Staff Assistance Program**  
1.800.437.0911, [clientservice@carebridge.com](mailto:clientservice@carebridge.com),  
[myliferesource.com](http://myliferesource.com)  
Licensed, credentialed counselors are available 24 hours a day, 7 days a week, 365 days a year by calling Carebridge or via email.
- **Couple and Family Therapy Center at Falk College**  
315.443.3023 [falk.syr.edu/counseling-therapy-services-available-at-couple-and-family-therapy-center](http://falk.syr.edu/counseling-therapy-services-available-at-couple-and-family-therapy-center)  
Provides individual, couple, and family therapy for SU staff, faculty, students, and their families.
- **Psychological Services Center** 315.443.3595 [psychweb.syr.edu/PsychologicalServicesCenter/index.html](http://psychweb.syr.edu/PsychologicalServicesCenter/index.html)  
Provides individual, couple, and group counseling and therapy.

## Off Campus Resources

- Onondaga Council on Alcoholism Addictions, Inc., doing business as Prevention Network 315.471.1359 [preventionnetworkcnyc.org](http://preventionnetworkcnyc.org)  
Houses a literature and video library on alcohol, tobacco, and other drugs (ATOD); provides information on prevention, intervention, treatment, self-help services for ATOD abuse and addiction, and other addictions (e.g., food, sex, and gambling); conducts assessment and referral services; and conducts prevention program development and presentation.
- Syracuse/Onondaga Drug and Alcohol Abuse Commission 315.479.1140 [syracusedrugfree.com](http://syracusedrugfree.com)  
Provides educational programs for professionals and community members; conducts media advocacy activities regarding ATOD abuse issues and solutions; and assists with developing, coordinating, and expanding successful prevention efforts.
- Outpatient Treatment & Assistance
  - Conifer Park Outpatient Clinic 315.453.3911 [coniferpark.com](http://coniferpark.com)
  - Crouse Chemical Dependency Treatment Services 315.470.7314 [crouse.org/services/chemical-dependency/programs](http://crouse.org/services/chemical-dependency/programs)
  - Syracuse Behavioral Health Care 315.471.1564 [sbh.org](http://sbh.org)
  - Bright Path Counseling Center 315.458.0919 [brightpathcounseling.com](http://brightpathcounseling.com)
- Inpatient Treatment & Assistance
  - Crouse Chemical Dependency Treatment Services 315.470.7314 [crouse.org/services/chemical-dependency/programs](http://crouse.org/services/chemical-dependency/programs)
  - Syracuse Behavioral Health Care 315.492.1184 [sbh.org](http://sbh.org)
- Support Groups / Self Help
  - AA (Alcohol Anonymous) 315.463.5011 [aasyracuse.org](http://aasyracuse.org)
  - Alateen (for teens living with an alcoholic family member) 315.471.0191 [syracuseais.org](http://syracuseais.org)
  - Al-Anon Family Groups 315.471.0191 [syracuseais.org](http://syracuseais.org)
  - Narcotics Anonymous (for drug/alcohol problems) 818.773.9999 [na.org](http://na.org)
- 24-Hour Hotlines
  - SU Counseling Center Crisis Services 315.443.4715 [counselingcenter.syr.edu](http://counselingcenter.syr.edu)
  - Alcohol HotLine 1.800.234.0420
  - Cocaine Hotline 1.800.262.2463
  - CONTACT (listening/counseling) 315.251.0600
  - Drug Abuse Local Hotline 315.472.3784
  - Suicide Prevention 315.474.1333
- Additional Information
  - Behavioral Health Treatment Services is an online source of information for persons seeking treatment facilities. [findtreatment.samhsa.gov](http://findtreatment.samhsa.gov)
  - 211 CNY: dial 211 for free help locating a variety of important resources. [211cny.com](http://211cny.com)

## Health Risks

There are serious health risks associated with the use of illicit drugs or the abuse of alcohol. Some of those health risks are summarized below. For more information about the health risks associated with drug or alcohol abuse, contact one or more of the available resources listed above.

### Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses also increase the incidence of aggressive acts. Moderate to high doses impair higher mental functions, severely altering the ability to learn and remember information. Very high doses of alcohol can be fatal.

Repeated use of alcohol can lead to dependence. Alcohol withdrawal can result in severe anxiety, tremors, hallucinations, and convulsions, which may be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can lead to permanent damage to vital organs such as the brain and liver. Alcohol consumption during pregnancy may result in fetal alcohol syndrome, which causes irreversible physical and/or mental abnormalities at birth.

### Controlled Substances

The information about the health effects of controlled substances included below comes from the Federal Controlled Substances Act.

### Cannabis

Possible Effects: euphoria, relaxed inhibitions, increased appetite, disoriented behavior

Effects of Overdose: fatigue, paranoia, possible psychosis

Withdrawal Syndrome: insomnia, hyperactivity, decreased appetite occasionally reported

### Depressants

Possible Effects: slurred speech, disorientation, drunken behavior without odor of alcohol

Effects of Overdose: shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death

Withdrawal Syndrome: anxiety, insomnia, tremors, delirium, convulsions, possible death

### Hallucinogens

Possible Effects: illusions and hallucinations, poor perception of time and distance

Effects of Overdose: longer, more intense “trip” episodes, psychosis, possible death

Withdrawal Syndrome: withdrawal syndrome not reported

## **Narcotics**

Possible Effects: euphoria, drowsiness, respiratory depression, constricted pupils, nausea

Effects of Overdose: slow and shallow breathing, clammy skin, convulsions, coma, possible death

Withdrawal Syndrome: watery eyes, runny noses, yawning, loss of appetite, tremors, panic, cramps, nausea, chills, sweating

## **Stimulants**

Possible Effects: increased alertness, excitation, euphoria, increased pulse rate and blood pressure, loss of appetite

Effects of Overdose: agitation, increase in body temperature, hallucinations, convulsions, possible death

Withdrawal Syndrome: apathy, long periods of sleep, irritability, depression, disorientation

## **Standards of Conduct**

Syracuse University makes every effort to provide a safe and healthy environment for all members of our community. Alcohol and drug abuse is a matter of concern for the entire community, regardless of the user's age, as it poses a threat to health and interferes with one's ability to fully participate in the academic community and can create serious problems for the user or other members of the community.

The University's Alcohol, Other Drugs, and Tobacco Policy ([supolicies.syr.edu/fac\\_teach/alcohol.htm](http://supolicies.syr.edu/fac_teach/alcohol.htm)) provides an umbrella framework for approaching prevention and intervention, and defines acceptable and unacceptable behaviors with regard to alcohol, other drugs, and tobacco. Additional policies and procedures, such as the Code of Student Conduct, also apply to prohibit illegal use or possession of alcohol or drugs on campus. The University institutes these policies and procedures in order to develop and sustain healthy community wide norms to address and prevent problems while providing resources for intervention and assistance, in accordance with federal, state, and local laws and other mandates.

Syracuse University seeks to provide an environment in which drug and alcohol abuse and tobacco use are not tolerated and do not interfere with the goals of the University as an educational institution and workplace. The University engages in proactive efforts, including the following:

- educating members of the community about policies related to alcohol, other drugs, and tobacco, and sanctions used to enforce these policies;
- intervening and providing assistance to those with problems, and encouraging those with problems to seek help;
- offering low-risk social options that support institutional initiatives fostering health and wellness; and
- upon students' request and to the extent reasonably practicable, making alcohol-free living options available.

**Illegal Drugs:** Manufacturing, distributing, selling, purchasing, possessing, and using illegal drugs and drug paraphernalia is prohibited.

**Other Drugs:** Unlawfully distributing, possessing, or using prescription medications, controlled substances, or other legal drugs is prohibited. Improperly using prescription medications, controlled substances, or other legal drugs is discouraged. Possessing drug paraphernalia is prohibited.

**Alcohol:** Abstinence, as an option, is supported and never discouraged. Drinking alcoholic beverages legally and in moderation is accepted. Drinking alcohol excessively is discouraged. Unlawful behaviors involving alcohol, including, but not limited to: underage drinking, public intoxication, drinking and driving, manufacturing, distributing, and using false identification are prohibited. Disruptive behavior that creates potential for harm or infringes on the rights of others is prohibited.

**Smoking:** Syracuse University is a tobacco-free campus. Smoking is prohibited on University-owned, -operated, or -controlled property, including, but not limited to, housing and dining facilities, classrooms, offices, computing facilities, laboratories, seminar rooms, libraries, stores, health facilities, restrooms, stairwells, elevators, lobbies, and reception areas. Syracuse University's Tobacco-Free Campus Policy can be found here: [supolicies.syr.edu/ethics/tobacco\\_free\\_campus.htm](http://supolicies.syr.edu/ethics/tobacco_free_campus.htm).

Syracuse University's full policy on Alcohol, Other Drugs, and Tobacco can be found here: [supolicies.syr.edu/ethics/alcohol.htm](http://supolicies.syr.edu/ethics/alcohol.htm).

## **Student-Specific Policies & Sanctions**

In addition to the Alcohol, Other Drugs, and Tobacco Policy, there are certain conduct standards to which students must adhere, including the Code of Student Conduct and Office of Residence Life standards.

### **Code of Student Conduct**

Students at Syracuse University are expected to conduct themselves in a manner supportive of the educational mission of the institution. The Code of Student Conduct prohibits, among other actions or attempted actions:

- conduct-whether physical, verbal, electronic, oral, written, or video-which threatens the mental health, physical health, or safety of any person or persons including, but not limited to, hazing, drug or alcohol abuse, bullying, or other forms of destructive behavior.
- forgery, alteration, or fabrication of identification cards, records, grades, diplomas, University documents, possession of falsified identification cards or misrepresentation of any kind to a University office, University official, or law enforcement.
- illegal use, possession, purchase, distribution, manufacture, or sale of alcohol, drugs, or controlled substances, or any other violation of the Syracuse University Policy on Alcohol, Other Drugs, and Tobacco.

- violation of any federal, state, or local law which has a negative impact on the well-being of Syracuse University or its individual members.

Culpability is not diminished for acts in violation of this code that are committed in ignorance of the code or under the influence of alcohol, illegal drugs, or improper use of controlled substances.

The complete Code of Student Conduct is available here: [supolicies.syr.edu/studs/std\\_code\\_conduct.htm](http://supolicies.syr.edu/studs/std_code_conduct.htm).

### **Residential Living Standards**

The theme of residential life focuses on personal responsibility and co-operation in building the community. To enhance this growth of community, the Office of Residence Life requires that all students residing on both North and South campuses be familiar with, and abide by, the Code of Student Conduct, the Departmental Standards of Residence Life, and the policies outlined in the Terms and Conditions of Student Housing. Students have the right and responsibility to participate in the creation of Community Standards for the community in which they live.

Because students are responsible for community standards within their living environments, they have the responsibility to participate in regular, ongoing conversations within their communities to discuss issues and events, including support for making healthy choices in relation to alcohol and other drugs.

- Alcohol
  - Students who are under 21 years of age may not be in the presence of alcohol, unless assigned to reside in a space in which one's roommate is 21 years of age or older.
  - Students who are under the age of 21 are not permitted to store or display empty alcohol containers (bottles, cans, etc.) in their residence hall room/apartment.
  - Alcohol paraphernalia that is associated with high-risk drinking behavior including, but not limited to, wine and/or beer bottles, beer pong tables, funnels, and shot glasses is prohibited.
- Illicit Drugs
  - Students' presence in locations in which illicit drugs are being used, which may also include the presence of drug paraphernalia including, but not limited to, bongs, pipes and other smoking devices, grinders, and rolling papers is prohibited.

### **Student Sanctions**

Students and registered student organizations found responsible for violating University policies governing alcohol and drug use will receive both a University status sanction as well as one or more educational or developmental sanctions.

The University issues the following standard sanctions for substance abuse-related violations:

Category	First Violation	Second Violation	Third Violation
Use or possession of alcohol under prohibited circumstances	Disciplinary Reprimand  Community involvement referral and/or educational project(s)	Disciplinary probation  Community involvement referral  Educational project(s) and/or Options Program referral	Indefinite suspension for a minimum of one academic year
Supplying alcohol to underage person(s)	Disciplinary probation  Community involvement referral or Community Service project(s) and/or educational project(s)	Indefinite suspension for a minimum of one academic year	Not applicable*
Extreme alcohol intoxication posing a substantial risk to the health and well-being of self and/or others	Disciplinary Reprimand  Appropriate educational assignments  Options Program referral	Disciplinary probation  Residential relocation (at the discretion of the case manager or hearing board)  Options Program referral  Community involvement referral and/or other educational project(s)	Indefinite suspension for a minimum of one academic year
Manufacture or sale of alcohol under prohibited circumstances	Disciplinary probation  Community involvement referral or community service project(s) and/or educational project(s)	Indefinite suspension for a minimum of one academic year	Not applicable*
Driving any motor vehicle while intoxicated or while under the influence of unlawful drugs	Indefinite suspension for a minimum of one academic term  Community involvement referral or community service project(s) and/or educational project(s)	Expulsion or indefinite suspension for a minimum of one academic year	Not applicable*
Use or possession of drug paraphernalia, marijuana, illegal drugs or controlled substances without an appropriate prescription	Disciplinary probation  Residential relocation (at the discretion of the case manager or hearing board)  Options Program referral  Community involvement or community service referral and/or other educational project(s)	Indefinite suspension for a minimum of one academic year	Not applicable*
Extreme drug intoxication or abuse-related behavior posing a substantial risk to the health and well-being of self and/or others	Disciplinary Probation  Residential relocation (at the discretion of the case manager or hearing board)  Options Program referral  Community Involvement referral and/or Other Educational project(s)	Indefinite Suspension for a minimum of one academic year	Not applicable*
Manufacture, sale, purchase, or distribution of illegal drugs or controlled substances	Expulsion or Indefinite Suspension for a minimum of one academic year	Not applicable*	Not applicable*

\*In these circumstances, sanctions will be determined on a case-specific basis by the adjudicator or appropriate adjudicative body.

\*\*DWI and serving alcohol to minors do not apply.

## Employee-Specific Policies & Sanctions

In addition to the Alcohol, Other Drugs, and Tobacco Policy, there are certain conduct standards to which employees must adhere.

Syracuse University prohibits the unlawful manufacture, distribution, sale, purchase, possession, or use of any drugs or controlled substances or drug paraphernalia along with the unlawful service, distribution, sale, possession, consumption, or other unlawful use of alcoholic beverages by its employees on its owned, operated, or controlled property. Employees who violate this policy will be subject to appropriate disciplinary action, which may include counseling, mandatory participation in an appropriate rehabilitation program, a warning, placement on strict probation, unpaid suspension from employment, termination of employment and/or referral to the proper law enforcement authorities for prosecution.

Syracuse University is required by the Drug-Free Workplace Act of 1988 to take steps toward maintaining a drug-free workplace. Any employee engaged in the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace will be subject to discipline, up to and including discharge. The University will weigh all relevant facts and circumstances in reaching a decision to discipline; the University retains the right to require that a covered employee who engages in prohibited conduct participate in, and successfully complete, a drug abuse assistance or rehabilitation program. Covered employees must report to the University Office of Human Resources within five days of any criminal conviction for a workplace drug violation.

Applicants for employment may be required to submit to and pass a drug test as a condition of employment. Employees may also be required to submit to random or periodic drug or alcohol testing at the discretion of the University or department.

## Legal Sanctions

In addition to the University standards and sanctions on alcohol and other drug abuse set forth above, members of the campus community are also required to abide by state and federal laws governing consumption, sale, or possession of alcohol and other drugs.

## New York Law

### Drugs

The State of New York Public Health Law prohibits: growing marijuana or knowingly allowing it to be grown without destroying it; selling or possessing a hypodermic needle without a doctor's written prescription; or manufacturing, selling, or possessing with intent to sell an imitation controlled substance. The State of New York Penal Law defines a wide range of offenses and penalties for possessing or distributing marijuana and other controlled substances. In addition, driving a motor vehicle with ability impaired by drugs is subject to the same New York State law and sanctions as driving while intoxicated. While not complete, a summary of offenses and penalties is provided below:

- **Possession and Distribution of Marijuana**
  - Unlawful Possession (less than 25g):
    - First offense: fine less than \$100
    - Second offense: fine less than \$200
    - Third offense: fine less than \$250
  - New York State Penal Law Sanctions for Criminal Possession (depends on amount seized):
    - >25g: Misdemeanor: 3-month imprisonment and/or \$500 fine
    - 2-8 oz: Misdemeanor: 1-year imprisonment and/or \$1,000 fine
    - 8 oz-1 lb: Felony: 4 years imprisonment and/or \$5,000 fine
    - 1-10 lbs: Felony: 7 years imprisonment and/or \$5,000 fine
    - >10 lbs: Felony: 15 years imprisonment and/or \$15,000 fine
  - New York State Penal Law Sanctions for Criminal Sale (depends on amount seized):
    - 2g or less without profit (1 marijuana cigarette): Misdemeanor: 3months imprisonment and/or \$500 fine
    - 25g or less: Misdemeanor: 1 year imprisonment and/or \$1,000 fine
    - >25g-4 oz: Felony: 4 years imprisonment and/or \$5,000 fine
    - >4 oz-1 lb: Felony: 7 years imprisonment and/or \$5,000 fine
    - >1 lb: Felony: 15 years imprisonment and/or \$15,000 fine
    - Using a child to assist: Felony: 4 years imprisonment and/or \$5,000 fine
    - To a minor: Felony: 7 years imprisonment and/or \$5,000 fine
  - New York State Penal Law Sanctions for Trafficking:
    - Any amount: Felony: 15-25 years imprisonment (mandatory minimum sentence of 15 years) and/or \$100,000 fine
  - New York State Penal Law Sanctions for Cultivation (also considered possession under current case law):
    - Any amount: Misdemeanor: 1 year imprisonment and/or \$1,000 fine
  - New York State Penal Law Sanctions for Hash and Concentrates:
    - Possession < .25 oz: Misdemeanor: 1 year imprisonment and/or \$1,000 fine
    - Possession .25 oz-< 1 oz: Felony: 7 years imprisonment and/or \$5,000 fine
    - Possession 1 oz or more: Felony: 15 years imprisonment and/or \$15,000 fine
    - Sale: Felony: 15 years imprisonment and/or \$15,000 fine

- **Possession and Distribution of Other Controlled Substances:** “Controlled substance” means any substance listed in schedule I, II, III, IV or V of Section 3306 of the public health law other than marijuana, but including concentrated cannabis as defined in paragraph (a) of subdivision 4 of section 3302 of such law. This includes, but is not limited to: methamphetamine, heroin, cocaine base, PCP, LSD, Fentanyl, Fentanyl analogue.
  - State Penal Law Sanctions for Possession and Sale (Degree depends upon substance, amount of substance, age of purchaser, and prior record):
    - Seventh degree: Class A Misdemeanor: 1 year imprisonment or less
    - Fifth degree: Class D Felony: 7 years imprisonment or less
    - Fourth degree: Class C Felony: 15 years imprisonment or less
    - Third degree: Class B Felony: 6-25 years imprisonment
    - Second degree: Class A-II Felony: 3-8 years to life imprisonment
    - First degree: Class A-I Felony: 15-25 years to life imprisonment

## Alcohol

Alcohol offenses and penalties in New York State are defined by the Alcoholic Beverage Control Law and Penal Law. They include possession with intent to consume while under age 21, driving while intoxicated, driving while ability is impaired by alcohol, driving after consuming alcohol while under age 21, furnishing alcohol to a person under age 21, selling alcohol to an intoxicated person, or providing false identification. The four acceptable forms of I.D. for alcohol service in New York State are a driver’s license, a non-driver’s I.D., a military I.D., or a passport. In addition, New York State General Obligations Law imposes personal injury liability for damages resulting from furnishing alcohol to persons under age 21 or selling alcohol to an intoxicated person. The city of Syracuse prohibits the consumption of alcohol, or the possession of an open container with intent to consume, in any public place or private property without the owner’s permission. While not complete, a summary of offenses and penalties is provided below:

- **Serving Alcohol to Persons Under 21:**
  - Up to 1 year in jail, \$1,000 fine.
- **Fraudulent Attempt to Purchase Alcohol (using false ID or ID of another person):**
  - Fine up to \$100, community service up to 30 hours, and/or completion of an alcohol awareness program, 90 days license suspension if a New York State driver’s license is used as the false I.D.
- **Possession of Alcohol by Person Under 21:**
  - Up to \$50 fine and/or completion of an alcohol awareness program and/or up to 30 hours community service.

- **Driving While Intoxicated (DWI) (.08 blood alcohol content):**
  - First offense: up to 1 year prison, \$500 to \$1,000 fine, minimum 6 months license revocation.
  - Second offense in 10 years: up to 4 years prison, \$1,000-\$5,000 fine, minimum 1 year license revocation.
- **Driving While Ability Impaired (DWAI) (.05-.07 blood alcohol content):**
  - First offense: up to 15 days jail, \$300-\$500 fine, 90 day license suspension.
  - Second offense in 5 years: up to 30 days jail, \$500 to \$750 fine, minimum 6 months license revocation.
  - Third offense in 10 years: up to 180 days jail, \$750-\$1,500 fine, minimum 6 months license revocation.
- **Operating a Motor Vehicle after Consuming Alcohol while under age 21:**
  - License suspension or revocation and \$125 charge.
- **Possession of Open Container in Public Place:**
  - Up to 15 days in jail, \$150 fine.

## Federal Law

Possession, use or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, many of which include mandatory prison terms. In addition, Section 484(r) of the Higher Education Act of 1998 (20 U.S.C. §1091) provides that a student’s eligibility for federal student aid be suspended upon conviction under federal or state law for any offense involving the possession or sale of a controlled substance (other than alcohol or tobacco) for as much as one year to an indefinite period of time. Eligibility may be regained upon completion of a drug rehabilitation program that meets statutory and regulatory requirements or if the conviction is overturned. The following is an overview of federal penalties.

### Sale of Marijuana/Hashish

- A first offense of trafficking in marijuana in amounts of less than 50 kg (small amount) may result in imprisonment of not more than 5 years and a fine not to exceed \$250,000. Imprisonment and fine minimums are doubled for a second offense.
- Trafficking in marijuana in quantities from 50-999 kg (medium-large amount) may result in imprisonment from 5 to 20 years and/or fines from \$1 million to \$5 million.
- Trafficking in marijuana in quantities greater than 1,000 kg (enormous amount) may result in not less than 10 years and not more than life imprisonment and/or a fine not to exceed \$4 million (minimums double for a second offense).
- Trafficking in hashish or hashish oil may result in imprisonment up to 20 years (depending on amount seized) and/or fines from \$500,000 to \$2 million.

## Possession of a Controlled Substance

### 21 U.S.C. 844(a)

- First conviction: up to 1 year imprisonment and fine of at least \$1,000 but not more than \$100,000, or both.
- After one prior drug conviction: at least 15 days in prison, not to exceed 2 years and fine of at least \$2,500 but not more than \$250,000, or both.
- After two or more prior drug convictions: at least 90 days in prison, not to exceed 3 years and fine of at least \$5,000 but not more than \$250,000, or both.
- Special sentencing provisions for possession of crack cocaine: mandatory at least 5 years in prison, not to exceed 20 years, and fine of up to \$250,000, or both if:
  - First conviction & amount of crack exceeds 5 grams
  - Second conviction & amount of crack exceeds 3 grams
  - Third or subsequent conviction & amount of crack exceeds 1 gram

### 21 U.S.C. 862

- Denial of federal benefits, such as student loans, grants, contracts and professional and commercial licenses:
  - Up to 1 year for first offense
  - Up to 5 years for second and subsequent offenses

### 21 U.S.C. 881

- Forfeiture of personal and real property used to possess or facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment.
- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

### 21 U.S.C. 844(a)

- Civil fine up to \$10,000 (pending adoption of final regulations).

### 18 U.S.C. 922(g)

- Ineligible to receive, purchase or possess a firearm.

### Miscellaneous

- Revocation of certain federal licenses and benefits, for example pilot license, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

### Sale of a Controlled Substance

#### 21 U.S.C. 841

- First offense involving a small quantity of a controlled substance: penalties range from imprisonment for less than 1 year and/or a fine of less than \$100,000.
- Large quantity, second offense: penalty may be as severe as 20 years to life imprisonment and a fine of not more than \$8 million.



# Syracuse University

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