

PHILOSOPHY

Dear UNCW Faculty, Staff and Students:

Substance abuse is one of the most challenging issues facing societies today, responsible for lost lives, potential, time, and money. Substance abuse among college students, in particular, has garnered the attention of the public and the media in the U.S. UNCW has been systematically addressing this challenge for over twenty-five years by working with the campus and surrounding community. Therefore, we have compiled this handbook to assist you in gathering information about alcohol and other drugs and the problems and concerns associated with their use and abuse.

When dealing with these substance abuse issues, we do not want to just react; instead, we want to move rapidly in delivering accurate information so that members of our community can make healthy choices concerning their use of alcohol and other drugs. For those who may have problems related to drug use we will be responsive to their needs through assessment, counseling and referral to other agencies when advisable. You will find in this handbook an outline of university policy, procedure and programming in addition to state and federal laws that pertain to alcohol and other controlled substances.

I hope that you will read the information that is enclosed and that you will support our promotion of low-risk, healthy choices concerning the use of alcohol and other drugs. We, at UNCW, will continue to emphasize the prevention of drug abuse and stress education in an effort to increase awareness and further knowledge. In addition, we will provide intervention and treatment services when necessary. All members of this academic community (students, staff, and faculty) share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct.

Sincerely,

A handwritten signature in black ink, reading "Patricia L. Leonard". The signature is written in a cursive style with a large, looping initial "P".

Patricia L. Leonard
Vice Chancellor for Student Affairs

POLICIES

UNCW ALCOHOL POLICY

POLICY 05.303

Policy Regarding the Possession and Consumption of Alcoholic Beverages on the Campus of the University of North Carolina Wilmington (reformatted and revised July 1, 2011)

I. PURPOSE

The University of North Carolina Wilmington permits alcohol to be consumed at special activities and programs and in the privacy of residence hall rooms subject to applicable law. This policy is designed to promote the positive use or nonuse of alcoholic beverages in a responsible manner.

II. SCOPE

University policies concerning the possession and consumption of alcoholic beverages do not contravene federal, state, or municipal law regarding their purchase, possession or consumption. This policy is applicable to all property owned or leased by the university.

III. PROHIBITED BEHAVIOR

- A. In accordance with North Carolina law, it is illegal for any person under 21 years of age to purchase, possess or consume, or for anyone to aid or abet such a person in purchasing or consuming any alcoholic beverages.
- B. Alcoholic beverages are not permitted to be sold by any person, organization or corporation on the campus of the university, including property leased by the university.
- C. It is unlawful for any person to drink alcoholic beverages or to offer a drink to another person or persons, whether accepted or not, on any public road or street, parking lot, sidewalk or other publicly owned or leased place within the city of Wilmington. Refer to policy statement IV.C. for the special events exclusion allowed for access-controlled areas.
- D. State funds and student fees collected by the university cannot be used to purchase alcoholic beverages.
- E. Employees of the university may not consume alcohol during regular working hours, unless they take leave and do not return to work.

IV. APPROVAL AND GUIDELINES FOR UNIVERSITY EVENTS

- A. The use of alcoholic beverages at a university event shall be subject to the approval of the Chancellor or designee.
 1. The Alcohol Beverage Permit must be filed with the Associate Vice Chancellor - Business Services seven (7) days prior to the event.
 2. An authorized representative of the UNCW department or sponsoring organization must sign the Alcohol Beverage Permit, acknowledging that all regulations stated in the Alcohol Policy are understood.
- B. Student events at which alcoholic beverages may be consumed can be held only under circumstances in which the sponsoring organization demonstrates reasonable means of insuring the safety of participants and adherence to state law.
 1. The advisor or authorized representative to a sponsoring student organization must have supervised the planning.
 2. An advisor or authorized representative to a sponsoring student organization must be present for the entire event.
- C. Special events at which alcoholic beverages may be brought in by participants; e.g., athletic tailgating events, are only permitted by departments or department-sponsored programs, within guidelines established by the departmental representative, in coordination with Office of Risk Management and Insurance, UNCW Police, and Environmental Health and Safety,

- Permits and/or waivers will be reviewed and approved in advance by the Chancellor's Designee, or the Associate Vice Chancellor – Business Services, at least 14 days prior to the event.
- D. Consumption of alcoholic beverages is only permitted within the approved area designated for the event.
 - 1. Possession and consumption of alcoholic beverages at approved events on the university campus shall be restricted to areas which are not in the public view of students attending classes or students attending planned undergraduate activities, events or programs. Exceptions will be subject to approval of the Chancellor or designee.
 - 2. Use of an Event Manager is encouraged for events that permit alcohol to be served.
 - 3. Use of an approved Event Manager is required for events in which alcohol will be present, but not served by ARAMARK. The area must have controlled access.
 - E. Consumption of alcoholic beverages during regular working hours of the university (e.g., 4-5 pm) is only permitted when the majority of event participants are not university employees. Exceptions will be subject to approval of the Chancellor or designee.
 - F. Non-alcoholic beverages and sufficient quantities of food must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages. Quantities of alcoholic beverages purchased for an event shall be in compliance with guidelines set forth by the National Institute on Alcohol Abuse and Alcoholism.
 - G. Alcohol shall only be served by the university's food service contractor, except for events as noted in Section IV.C.
 - 1. The university's food service contractor is responsible to ensure proper identification is provided at the time of the event. Only a governmental-issued picture ID displaying date of birth will be accepted as valid identification.
 - 2. A student, 21 years of age or older, may purchase, possess or consume alcohol within the approved area designated for the event, but is prohibited from aiding or encouraging anyone under the age of 21 to possess or consume alcoholic beverages on campus.
 - 3. Alcohol shall not be served to those exhibiting unusual behavior or impaired speech or motor coordination when such behavior appears to be the result of substance abuse.
 - H. Individuals and/or sponsoring organizations or units who fail to comply with this policy and the guidelines for alcohol consumption on campus will be subject to disciplinary action. For employees, such disciplinary action would follow the pertinent misconduct procedures. Students who violate this policy will be referred to the Office of the Dean of Students for disciplinary action.
 - I. The signing of the Alcohol Beverage Permit by an authorized person of a UNCW department or sponsoring organization acknowledges that breaking of this agreement may justify revocation of privileges to seek future permission to hold activities where alcoholic beverages can be consumed.
 - J. The university shall hold any person who violates the law or any university policy while intoxicated fully responsible for his or her action and the consequences thereof.

ALCOHOL MARKETING POLICY 05.304

Statement of Principles Regarding the Marketing of Alcoholic Beverages on the UNCW Campus

I. PURPOSE

Alcohol abuse poses a serious threat to the health and welfare of a large segment of the college student population through acts of vandalism and property damage, increased incivility, automobile and other types of accidents, lessening of academic performance, estrangement of social relations and, in some cases, bodily injury, illness and death.

Inappropriate and irresponsible marketing and promotion of alcoholic beverages on campus can contribute to the problems of alcohol misuse and abuse. The development of campus policies which protect the health and welfare of college students is an important responsibility of the

UNCW community. Institutional policies, practices and regulations should form the basis of a responsible approach to proper management of alcohol on campus. Carefully monitoring and setting strong guidelines regarding alcohol marketing is a proven strategy to aid in the creation a healthier campus environment.

II. GUIDELINES

The following guidelines are to govern alcohol marketing practices on the UNCW campus:

1. Alcohol beverage marketing programs specifically targeted for students and/or held on campus should conform to the *UNCW Code of Student Life* and state law. They must avoid demeaning sexual or discriminatory portrayal of individuals and/or groups.
2. Promotion of alcoholic beverages should not encourage any form of alcohol abuse, nor should it place emphasis on quantity and frequency of use (i.e. "all you can drink").
3. Alcoholic beverages (such as kegs or cases of beer) should not be provided as free awards to individual students or campus organizations.
4. No uncontrolled sampling as part of campus marketing programs should be permitted and no sampling or other promotional activities should include "drinking contests."
5. Promotional activities should not be associated with otherwise existing campus events or programs without the prior knowledge and consent of the Office of the Dean of Students.
6. Display or availability of promotional materials should be determined by the Office of the Dean of Students in consultation with the Chancellor's Committee on Substance Abuse.
7. Informational marketing programs should subscribe to the philosophy of responsible and legal use of the products represented.
8. Alcoholic beverages marketers will be encouraged to support campus alcohol education programs that encourage informed and responsible decisions about the use or nonuse of beer, wine or distilled spirits.
9. Alcoholic beverages advertising on campus or in institutional media, including that which promotes events as well as product advertising, should not portray drinking as an appropriate coping mechanism for personal or academic problems of students or as positively correlated with social, sexual or academic success.
10. Advertising and other promotional campus activities should not associate beverage alcohol consumption with the performance of sports or tasks that require skilled reactions such as the operation of motor vehicles or machinery.
11. Advertisement posting for any university event when alcoholic beverages are served shall note the availability of non-alcoholic beverages as predominantly as alcohol. Alcohol should not be used as an inducement to participate in a campus event.
12. Alcoholic beverages marketers are not permitted to promote their products on campus unless they agree to abide by the above marketing guidelines. The vice chancellor for student affairs, in consultation with the Chancellor's Committee on Substance Abuse, will be responsible for implementing these guidelines.

Students or student organizations cited for a violation of UNCW alcohol policies will be subject to the provisions outlined in the *UNCW Code of Student Life* Section II-2.

UNCW POLICY ON ILLEGAL DRUGS POLICY 04.110

I. PURPOSE

The fundamental purpose of the university is to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. That environment is damaged by illegal drug use. Therefore, all members of the academic community, students, faculty, administrators and other university employees, share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct.

II. POLICY AND PROGRAM

- A. The illegal use, possession, sale, delivery and/or manufacture of drugs will not be tolerated and may be grounds for immediate suspension or dismissal of students, faculty, administrators and other university employees.
- B. University policies and programs are intended to emphasize:
 - 1. The incompatibility of the use or sale of illegal drugs with the goals of the university.
 - 2. The legal consequences of involvement with illegal drugs.
 - 3. The medical implications of the use of illegal drugs.
 - 4. The ways in which illegal drugs jeopardize an individual's present accomplishments and future opportunities.
- C. The university provides a systematic substance abuse education and prevention program designed to reach all segments of the campus community. To assist in accomplishing this mission, CROSSROADS: Substance Abuse Prevention and Education Program, has developed a well-integrated, centralized program that is a focal point for campus substance abuse education, training and prevention, which monitors the effectiveness of programs for constituencies served. The Counseling Center provides substance abuse counseling and referral services for students and provides consultation to students, faculty and staff.

III. EDUCATION

The university provides a program of education designed to help all members of the university community avoid abuse of illegal drugs. Education programs:

- A. Provide a system of accurate, current information exchange on the health risks and symptoms of drug use for students, faculty and staff.
- B. Promote and support institutional programming that discourages substance abuse.
- C. Establish collaborative relationships between community groups and agencies and the institution for education, treatment and referral.
- D. Provide training programs for students, faculty and staff to enable them to detect problems related to drug use, and to refer persons with these problems for appropriate assistance.
- E. Include information about drugs for students and family members in the student orientation programs. The use of prescription and over-the-counter drugs will be addressed.
- F. Support and encourage faculty in incorporating education about drugs into the curriculum where appropriate.
- G. Develop a coordinated effort across campus for drug related education, treatment and referral.

IV. COUNSELING AND REHABILITATION

- A. The university provides information about drug counseling and rehabilitation services to members of the university community. Persons who voluntarily avail themselves of university services can be assured that applicable professional standards of confidentiality will be observed. Counseling and rehabilitation services include:
 - 1. Training for professional staff and student staff on drug abuse information, intervention and referral.
 - 2. Education programs for students who have demonstrated abusive behavior with drugs.
 - 3. Assessment, counseling and referrals for students.
 - 4. Consultation, information and referrals for students, staff and faculty.
- B. In providing the above strategies, it is recognized that some campus constituents may prefer professional assistance external to the campus. Therefore, CROSSROADS: Substance Abuse Prevention and Education Program will collaborate with the Counseling Center in the development of appropriate referral mechanisms for these individuals. A listing of off-campus resources for assistance and referral is available for those who choose that option. In the development of this program, it is desired that faculty, students, administrators and other employees be comfortable in the manner in which they are served and have a choice in the selection of appropriate assistance. Individuals served in the Counseling Center on campus can be assured that applicable confidentiality will be maintained.

V. ENFORCEMENT AND PENALTIES

1. ENFORCEMENT

In seeking to enforce established university policy, the university will:

1. Publicize all drug policies.
2. Consistently enforce drug policies.
3. Exercise appropriate disciplinary action for drug policy violations.

2. PENALTIES

The university shall take actions necessary, consistent with state and federal law and applicable university policy to eliminate illegal drugs from the university community. University policy on illegal drugs is publicized in the university catalog, student and faculty handbooks, student orientation materials, on-line resources, letters to students and parents, residence hall meetings and faculty and employee meetings.

Students and faculty members, administrators and other employees are responsible as citizens for knowing about and complying with the provisions of the North Carolina law that makes it a crime to possess, sell, deliver or manufacture drugs designated collectively as “controlled substances” in Article V, Chapter 90 of the North Carolina General Statutes (see State Law I). Any member of the university community who violates that law is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by UNCW. It is not “double jeopardy” for both the civil authorities and the university to proceed against and adjudicate a person for the same specified conduct. The university will initiate its own disciplinary proceedings against the student, faculty member, administrator or other employee when the alleged conduct is deemed to affect the interest of the university.

Penalties will be imposed by the university in accordance with procedural safeguards applicable to disciplinary actions against students (see *UNCW Code of Student Life*, Section II), faculty members (see Policies of Academic Freedom and Tenure, UNCW, Section VII), and administrators and other employees (see Procedure No. PER 6.10 and Personnel Policies for Designated Employment Exempt from State Personnel Act - EPA Administrative Positions)

The penalties to be imposed by the university may range from written warning with probationary status to expulsion from enrollment and discharge from employment; however, the following minimum penalties shall be imposed for the particular offenses described.

1. TRAFFICKING IN ILLEGAL DRUGS

- a. For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver any controlled substance identified in Schedule I, North Carolina General Statutes 90-89, or Schedule II, North Carolina General Statutes, 90-90 (including, but not limited to heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualone), any student shall be expelled and any faculty member, administrator or other employee shall be discharged.
- b. For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver any controlled substance identified in Schedules III through VI, North Carolina General Statutes 90-91 through 90-94, (including, but not limited to, marijuana, phenobarbitals, codeine), the minimum penalty shall be suspension from enrollment or from employment³ for a period of at least one semester or its equivalent. For a second offense, any student shall be expelled, and any faculty member, administrator or other employee shall be discharged.

2. ILLEGAL POSSESSION OF DRUGS

- a. For a first offense involving the illegal possession of any controlled substance identified in Schedule I, North Carolina General Statutes 90-89, or Schedule II, North Carolina General Statutes 90-90, the minimum penalty shall be suspension

from enrollment or from employment for a period of at least one semester or its equivalent.

- b. For a first offense involving the illegal possession of any controlled substance identified in Schedules III through VI, North Carolina General Statutes 90-91 through 90-94, the minimum penalty shall be probation for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular drug testing, and/or accept such other conditions and restrictions, including a program of community service, as the chancellor or chancellor's designee deems appropriate. Refusal or failure to abide by the terms of probation shall result in suspension from enrollment or employment³ for any unexpired balance of the prescribed period of the probation.
 - c. For the second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators and employees.
3. *SUSPENSION PENDING FINAL DISPOSITION*
- a. When a student, faculty, administrator or university employee has been charged by the university with a violation of policies concerning illegal drugs, he/she may be suspended from enrollment and/or employment before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the chancellor, or in the chancellor's absence the chancellor's designee concludes that the person's continued presence within the university community would constitute a clear and immediate danger to the health or welfare of other members of the university community; provided that, if such a suspension is imposed, an appropriate hearing of the charges against the suspended person shall be held as promptly as possible thereafter.

VI. ASSESSMENT

The university shall in its effort to continually assess the campus environment:

1. Appraise the institutional environment as an underlying cause of drug abuse.
2. Assess campus awareness, attitudes and behaviors regarding the use of drugs and employ results in program development.
3. Collect and use drug related summary information from police and security reports to guide program development.
4. Collect and use summary data regarding health, counseling and client information to guide program development.
5. Collect summary data regarding drug related disciplinary actions and use it to guide program development.

SMOKING and TOBACCO PRODUCT USE POLICY POLICY 02.330

(established May 5, 2008; effective June 1, 2008)

I. PURPOSE

The University of North Carolina Wilmington (UNCW) has a responsibility to its employees and students to provide a safe and healthful environment. Research findings show that tobacco use in general, including smoking and breathing secondhand smoke, constitutes a significant health hazard. In addition to causing direct health hazards, smoking contributes to institutional costs in other ways, including fire damage, cleaning and maintenance costs, and costs associated with employee absenteeism, health care, and medical insurance.

II. SCOPE

The Smoking and Tobacco Product Use applies to all students, university employees, and visitors and guests of the university. For the purposes of this policy, tobacco products are defined as all tobacco-derived or containing products, including, but not limited to, cigarettes (clove, bidis, kreteks), electronic cigarettes, cigars and cigarillos, hookah smoked products, and oral tobacco (spit and spitless, smokeless, chew, snuff). This definition does not include any product that has been approved by the U.S. Food and Drug Administration for sale as a medicinal product. Smoking is defined as burning any type of tobacco product including, but not limited to, cigarettes, electronic and/or vaporized cigarettes, cigars, cigarillos, pipes and bidis.

III. POLICY

- A. Tobacco product use and smoking are prohibited in all UNCW buildings.
- B. Smoking is prohibited up to 25 feet outside the entrance to any campus building (measured as 25 feet from the end of each formal entrance structure) and 25 feet from air handlers. Special consideration will be given to those buildings where compliance with a 25 feet perimeter poses a danger to the individual.
- C. Smoking and tobacco product use are prohibited in all UNCW vehicles.
- D. The sale of tobacco products on campus is prohibited.
- E. The free distribution of tobacco products on campus is prohibited.
- F. Registered student organizations are prohibited from accepting event sponsorship from tobacco brand companies and from promoting tobacco products.

IV. IMPLEMENTATION AND ENFORCEMENT

- A. Enforcement of this policy will depend upon the cooperation of all faculty, staff, students, visitors and guests not only to comply with this policy but also to encourage others to comply with the policy in order to provide a healthy environment in which to work, study, and live.
- B. Repeated or intentional non-compliance with these provisions will be managed in accordance with Student Affairs guidelines for all students and disciplinary guidelines for staff and faculty. When necessary, the university will institute disciplinary against the offending individual, which may result in a range of sanctions, including but not limited to the following: for students – warning, disciplinary probation, or suspension; and for employees – warning, suspension without pay, or dismissal.
- C. All non-smoking areas shall be clearly marked with appropriate signage and other physical indicators, especially related to the 25 foot perimeter policy. Any smoking waste management products should be placed outside of the 25 foot perimeter.
- D. Housing and Residence Life is responsible for enforcing and implementing sanctions in campus and student residences, per item #33 in the *UNCW Code of Student Life*, Residence Life publication, *A Guide to On-Campus Living*.
- E. Visitors or guests using tobacco products or smoking in areas covered by this policy will be asked to refrain from such use within 25 feet from the building or leave the premises. University law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the person refuses to leave the property.

V. SMOKING CESSATION SERVICES

- A. Smoking cessation services for students will be provided by UNCW's Substance Abuse Prevention and Education Program, in partnership with Health Promotion Services and the Abrons Student Health Center.
- B. Information regarding smoking cessation services and education for employees is available through Human Resources and/or the State Health Plan.

REFERRAL PROCESS

Procedure for Alcohol and Other Drug-Related Disciplinary Referrals

- I. An administrative hearing officer or Campus Conduct Board determines if a disciplinary violation involves the abuse of alcohol or other drugs or if any alcohol or other drug policy was violated. If so:
 - A. The administrative hearing officer/CCB may require the student to attend “Challenging Decisions” (CD) education program. This program is presented by CROSSROADS: Substance Abuse Prevention and Education Program. A class is scheduled for all referred students.
 - B. In cases involving a marijuana violation, second alcohol violation or if the violation involved “extraordinary” circumstances related to alcohol or other drug use:
 1. If the student is found responsible for a first-time marijuana violation, he/she will also be required to attend an education intervention specifically addressing marijuana use, referred to as “BASICS-Marijuana” (BASICS-M). The BASICS-M involves two individual appointments at CROSSROADS, followed by a “booster” session with a counselor at the Counseling Center.
 2. If the student is found responsible for a second alcohol violation or if the violation involved “extraordinary” circumstances related to alcohol or other drug use, the student may be required to complete the “BASICS” alcohol education program. BASICS involves two individual appointments at CROSSROADS, followed by a “booster” session with a counselor at the Counseling Center.
- II. If the student is referred for a substance abuse assessment, the administrative hearing officer/CCB will ask the student to sign a consent release on the Decision of Hearing form. By signing, the student agrees to release a summary of the assessing counselor's recommendations regarding the referred student to the Office of the Dean of Students. The Decision of Hearing form will also include deadlines for scheduling the assessment.
- III. If the student is referred to the CD, BASICS, and/or BASICS-M education program, the Decision of Hearing form will also indicate the deadline by which attendance must be completed. It is the student's responsibility to schedule and attend the CD class or BASICS sessions.
- IV. It is the student's responsibility to schedule and attend any required BASICS booster sessions or other required assessment appointments with the Counseling Center. If the student fails to show for his/her assessment appointment, the Office of the Dean of Students will be notified and the student will be required to complete a substance assessment off-campus at his/her personal expense.
- V. If a student who has been referred to a Challenging Decisions-Alcohol, BASICS or BASICS-Marijuana class or other educational sanction fails to attend his/her scheduled appointment, the Office of the Dean of Students is notified and the student will be assessed a \$50 rescheduling fee.
- VI. Attendance is verified in writing by CROSSROADS and/or Counseling Center staff and is forwarded to the Office of the Dean of Students for addition to the conduct file. A registration “hold” will be placed on the student’s account and “failure to comply” charges may be pursued if sanctions are not completed as assigned.

RESOURCES

UNIVERSITY RESOURCES

Office of the Dean of Students

910-962-3119

Fisher University Union, Suite 2017

The Office of the Dean of Students takes great pride in the student body; however, it realizes that UNCW is not immune to the various problems that afflict many campuses. The staff is here to help individuals who seek assistance in dealing with a substance abuse problem and support their endeavors in dealing with it. When situations arise that violate university, state, or federal laws, all appropriate actions are taken in order to enforce these policies as well as help the individual student.

CROSSROADS: Substance Abuse Prevention & Education Program

DePaolo Hall, Second Floor, and

910-962-4136

Student Recreation Center, 104

CROSSROADS: Substance Abuse Prevention & Education Program is responsible for providing a systematic and comprehensive set of services for substance abuse education and prevention to all segments of the university community. CROSSROADS is dedicated to the advancement of thoughtful and healthy decision making regarding the use of alcohol, tobacco and other drugs by high school and college students. CROSSROADS encourages legal accountability and personal responsibility in all choices by providing access to the most current information available and encouraging a critical examination of beliefs and cultural expectations about substances in our lives. CROSSROADS programming will fall under one or more of the following directions: early identification and intervention for individual students, impacting individuals for behavior change, campus-wide collaboration on creating a healthy environment, and connection to community to create healthy environments for current and upcoming students.

The center serves as a highly visible and accessible multimedia resource area containing drug education materials, as well as information on alternatives to drug abuse, and how to help someone else. The center serves as a clearinghouse for other campus and community resources, providing confidential consultation, information or referral as appropriate.

Counseling Center

910-962-3746

DePaolo Hall, Second Floor

In addition to personal counseling on a wide range of issues facing college students, the Counseling Center offers short term substance abuse services, including counseling for alcohol and other drug issues for students affected by their own or another person's use/abuse.

Individual substance abuse assessments, counseling, consultation and off-campus referrals, when needed, are available. The overall approach is that of providing a non-judgmental confidential environment in which students can address problems they are experiencing with alcohol and other drugs while receiving support for achieving desired changes.

Abrons Student Health Center

910-962-3280

DePaolo Hall, Second Floor

The mission of the Abrons Student Health Center is to provide student-centered, affordable, quality health and preventive services to UNCW students. Services include confidential diagnosis and treatment of general and acute medical problems, allergy injections, immunizations, laboratory services, women's health care, contraception services, men's health assessment and preventive services.

Pharmacy
910-962-3160

DePaolo Hall, Second Floor

The UNCW Pharmacy is located in DePaolo Hall within the Student Health Center suite, Students can fill prescriptions written by UNCW providers as well as off-campus providers, and may purchase over 100 over-the-counter medications and products, Crutches are also available for purchase.

Health Promotion
910-962-4137

Student Recreation Center, Room 104

Health Promotion is UNCW's central resource for health education. Staffed by a certified health education specialist, a registered dietitian and a group of peer educators, the office offers programs on nutrition, sexual health, cold/flu prevention, stress management and other health topics. All requests for information are handled confidentially; whether for personal interest, for a friend, or for a class assignment.

University Police
910-962-2222

University Police Department – Lionfish Drive

UNCW's Police Department is located on the east side of campus, on Lionfish Drive. The police department operates 24 hours a day, each day of the year and is staffed with more than 40 individuals. The police officers are duly sworn, certified, armed and empowered with the same authority as other local law enforcement officers in the State of North Carolina as regulated by the North Carolina Department of Justice. Other staff members including dispatchers, security guards and administrators are on duty each day of the year determined to provide a safe and secure environment within which students, faculty and staff can live, learn and work.

Housing & Residence Life
910-962-3241

Office of Housing & Residence Life

The Housing & Residence Life program is designed to help students living in the residence halls. The resident assistants, assistant residence coordinators and residence coordinators are trained and are knowledgeable about drug information and basic listening skills. The residence life program also has the responsibility of enforcing federal, state and local laws and the university drug policies. Violations of the law will be addressed and every effort will be made to help students deal with drug-related issues.

Although consumption of alcoholic beverages is not encouraged by the university, students are permitted to possess and consume alcoholic beverages in their rooms provided that they comply with state laws. However, residents who are under 21 years of age are not allowed to host people with alcohol regardless of the guest's age. Non-UNCW students and UNCW students living off-campus are not allowed to bring alcohol into residential facilities. The Office of Housing and Residence Life staff reserves the right to stop people from bringing alcohol into the building(s). The student's room is considered "dry" and thus off-limits to the consumption of alcohol. In addition to the UNCW policies regarding the possession and consumption of alcoholic beverages and marketing of alcoholic beverages, the following rule pertains to residence halls: There are to be no kegs or common containers of beer or alcohol in the students' rooms or elsewhere in the residence halls, apartments or suite buildings except during official residence life functions where an alcoholic beverage permit has been completed in the Office of the Dean of Students and approved by the chancellor. Students are not allowed to play drinking games that encourage high risk drinking behavior, including but not limited to, beer pong, flip cup, card games, etc. Students are not allowed to construct or own a table used for the purpose of beer pong.

Department of Athletics**910-962-3232****Nixon Annex**

UNCW student-athletes have a shared responsibility with other students, faculty, and staff to uphold the policies and integrity of the university. This responsibility includes preventing the illegal use and abuse of drugs and alcohol. As highly visible members of the university community, student-athletes are in a strategic position to support and endorse high standards of professional and personal conduct.

As with all students, UNCW student-athletes are subject to university policies, procedures and programs regarding alcohol and drugs. The UNCW Department of Athletics requires drug and alcohol education, testing, and counseling of its student-athletes which is an excellent awareness program that is focused highly on prevention.

COMMUNITY RESOURCES

Following is a partial listing of substance abuse services available in the Wilmington area. For additional resources, contact CROSSROADS: Substance Abuse Prevention & Education Program at 962-4136 or the UNCW Counseling Center at 962-3746.

Coastal Horizons Center, Inc.**910-343-0145 or 910-762-5333****615 Shipyard Boulevard, Wilmington, NC 28412**

The Coastal Horizons Center, Inc. is a public center providing information, education, referral, counseling and outpatient treatment. Fees for counseling and treatment are charged on a sliding scale.

Crisis Line**910-392-7408 or 1-800-672-2903****615 Shipyard Boulevard, Wilmington, NC 28412****24-hour operation**

Crisis Line is a 24-hour hot line for any personal or family crisis, including alcohol and drug-related issues. Crisis Line Open House provides counseling and shelter for adolescents.

Treatment Alternatives to Street Crime (T.A.S.C.)**910-762-5333****613 Shipyard Boulevard, Suite 100, Wilmington, NC 28412**

T.A.S.C. is a public drug-treatment program intended for criminal offenders.

Drug Enforcement Administration**910-815-4513****Alton Lennon Federal Bldg. 2 Princess Street, Room 322,****Wilmington, NC 28401**

The D.E.A. provides drug information and education and is available to participate in conferences and seminars relating to illegal drugs.

New Hanover County Sheriff's Department**910-798-4200****3950 Juvenile Center Road****Castle Hayne, NC 28429**

The Sheriff's Department offers a crime prevention program which includes presentations on alcohol and other drugs.

Wilmington Police Department

910-343-3600

615 Bess Street, Wilmington, NC 28402

The Police Department provides crime prevention programs and is available to make presentations relating to alcohol and other drugs.

New Hanover County Health Department

910-798-6500

2029 S. 17th Street, Wilmington, NC 28401

The Health Department provides drug and alcohol information and referral.

Alcoholics Anonymous (AA)

910-794-1840

Intergroup Office

5901 Wrightsville Avenue, Wilmington, NC 28403

Al-Anon

910-509-2380

Narcotics Anonymous

1-800-691-5427

(Coastal Carolina Area)

Fetal Alcohol Hotline

1-800-532-6302

National Clearinghouse for Alcohol Information

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NORTH CAROLINA GENERAL STATUTES

ALCOHOLIC BEVERAGES

(Printed in part)

14-443. DEFINITIONS

As used in this Article:

- 1) "Alcoholism" is the state of a person who habitually lacks self-control as to the use of alcoholic beverages, or uses alcoholic beverages to the extent that his health is substantially impaired or endangered or his social or economic function is substantially disrupted, and
- 2) "Intoxicated" is the condition of a person whose mental or physical functioning is presently substantially impaired as a result of the use of alcohol; and
- 3) A "public place" is a place which is open to the public, whether it is publicly or privately owned. (1977, 2nd Sess., C. 1134, s. 1; 1981, c. 412, s. 4; c. 747, s. 66.)

14-444. INTOXICATED AND DISRUPTIVE IN PUBLIC

- a) It shall be unlawful for any person in a public place to be intoxicated and disruptive in any of the following ways:
 - 1) Blocking or otherwise interfering with traffic on a highway or public vehicular area, or
 - 2) Blocking or lying across or otherwise preventing or interfering with access to or passage across a sidewalk or entrance to a building, or
 - 3) Grabbing, shoving, pushing or fighting others or challenging others to fight, or
 - 4) Cursing or shouting at or otherwise rudely insulting others, or
 - 5) Begging for money or other property.
- b) Any person who violates this section shall be guilty of a Class 3 misdemeanor. Notwithstanding the provisions of G.S. 7A-273(1), a magistrate is not empowered to accept a guilty plea and enter judgment for this offense. (1977, 2nd Sess., c. 1134, s.1; 1993, c. 539, s. 292,1994; Ex. Sess., c. 24, s.14(c).)

14-445. DEFENSE OF ALCOHOLISM

- a) It is a defense to a charge of being intoxicated and disruptive in a public place that the defendant suffers from alcoholism.
- b) The presiding judge at the trial of a defendant charged with being intoxicated and disruptive in public shall consider the defense of alcoholism even though the defendant does not raise the defense, and may request additional information on whether the defendant is suffering from alcoholism.

14-447. NO PROSECUTION FOR PUBLIC INTOXICATION

- a) No person may be prosecuted solely for being intoxicated in a public place. A person who is intoxicated in a public place and is not disruptive may be assisted as provided in G.S. 122C-301.
- b) If, after arresting a person for being intoxicated and disruptive in a public place, the law-enforcement officer making the arrest determines that the person would benefit from the care of a shelter or health-care facility as provided by G.S. 122C-301, and that he would not likely be disruptive in such a facility, the officer may transport and release the person to the appropriate facility and issue him a citation for the offense of being intoxicated and disruptive in a public place. This authority to arrest and then issue a citation is granted as an exception to the requirements of G.S. 15A-501(2). (1977, 2nd Sess., c.1134, s.1; 1981, c.519, s.2; 1985, c.589, s.7.)

122C-301. ASSISTANCE TO AN INDIVIDUAL WHO IS INTOXICATED IN PUBLIC; PROCEDURE FOR COMMITMENT TO SHELTER OR FACILITY

- a) An officer may assist an individual found intoxicated in a public place by taking any of the following actions:
 - 1) The officer may direct or transport the intoxicated individual home;

- 2) The officer may direct or transport the intoxicated individual to the residence of another individual willing to accept him;
 - 3) If the intoxicated individual is apparently in need of and apparently unable to provide for himself food, clothing, or shelter but is not apparently in need of immediate medical care, the officer may direct or transport him to an appropriate public or private shelter facility.
 - 4) If the intoxicated individual is apparently in need of but apparently unable to provide for himself immediate medical care, the officer may direct or transport him to an area facility, hospital, or physician's office; or the officer may direct or transport the individual to any other appropriate health care facility; or
 - 5) If the intoxicated individual is apparently a substance abuser and is apparently dangerous to himself or others, the officer may proceed as provided in Part 8 of this Article.
- b) In providing the assistance authorized by subsection (a) of this section, the officer may use reasonable force to restrain the intoxicated individual if it appears necessary to protect himself, the intoxicated individual, or others. No officer may be held criminally or civilly liable for assault, false imprisonment, or other torts or crimes on account of reasonable measures taken under authority of this Part.
 - c) If the officer takes the action described in either subdivision (a)(3) or (a)(4) of this section, the facility to which the intoxicated individual is taken may detain him only until he becomes sober or a maximum of 24 hours. The individual may stay a longer period if he wishes to do so and the facility is able to accommodate him.
 - d) Any individual who has knowledge that a person assisted to a shelter or other facility under subdivisions (a)(3) or (a)(4) of this section is a substance abuser and is dangerous to himself or others may proceed as provided in Part 8 of this Article. (1977, 2nd Sess., c. 1134, s. 2; 1981, c. 519, s. 5; 1985, c. 589, s. 2.)

OTHER PROVISIONS

18B-300. PURCHASE, POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND UNFORTIFIED WINE

- a) Generally - Except as otherwise provided in this Chapter, the purchase, consumption, and possession of malt beverages and unfortified wine by individuals 21 years old and older for their own use is permitted without restriction.
- b) [Omitted]
- c) Local Ordinance - A city or county may by ordinance:
 - 1) Regulate or prohibit the consumption of malt beverages and unfortified wine on the public streets in that city or county by persons who are not occupants of motor vehicles and on property owned, occupied, or controlled by that city or county;
 - 2) Regulate or prohibit the possession of open containers of malt beverages and unfortified wine on public streets in that city or county by persons who are not occupants of motor vehicles and on property owned, occupied, or controlled by that city or county; and
 - 3) Regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys, or parking lots which are temporarily closed to regular traffic for special events.

For the purposes of this subsection, an open container means a container whose seal has been broken or a container other than the manufacturer's unopened original container. As provided by G.S. 18B-102(a), possession or consumption of alcoholic beverages is unlawful except as authorized by the ABC Law.

18B-301. POSSESSION AND CONSUMPTION OF FORTIFIED WINE AND SPIRITOUS LIQUOR

- a) Possession at Home - It shall be lawful, without an ABC permit, for any person at least 21 years old to possess for lawful purposes any amount of fortified wine and spirituous liquor at his home or a temporary residence, such as a hotel room.
- b) Possession on Other Property - It shall be lawful, without an ABC permit, for a person to possess for his personal use and the use of his guests not more than eight liters of fortified wine or spirituous liquor, or eight liters of the two combined, at the following places:

- 1) The residence of any other person with that person's consent;
- 2) Any other property not primarily used for commercial purposes and not open to the public at the time the alcoholic beverage is possessed, if the owner or other person in charge of the property consents to that possession and consumption;
- 3) An establishment with a brown-bagging permit as defined in B.S. 18B-1001(7).
- c) Special Occasions - It shall be lawful for a person to possess, without a permit and not for sale, any amount of fortified wine or spirituous liquor for a private party, private reception, or private special occasion, at the following places:
 - 1) His home or a temporary residence, such as a hotel room;
 - 2) Any other property not primarily used for commercial purposes, which is under his exclusive control and supervision, and which is not open to the public during the event;
 - 3) The licensed premises of any business for which the Commission has issued a special occasions permit under G.S. 18B-1001(8), if he is the host of that private function and has the permission of the permittee.
- d) Consumption - It shall be lawful for a person to consume fortified wine and spirituous liquor in any place where it is lawful for him to possess those alcoholic beverages under subsections (a) through (c).
- e) [Omitted]
- f) Unlawful Possession or Use - As illustration, but not limitation, of the general prohibition stated in G.S. 18B-102(a), it shall be unlawful for:
 - 1) Any person to consume fortified wine, spirituous liquor, or mixed beverages or to offer such beverages to another person:
 - a) [Omitted]
 - b) Upon any property used or occupied by a local board, or
 - c) On any public, street, highway, or sidewalk.
 - 2) Any person to display publicly at an athletic contest fortified wine, spirituous liquor, or mixed beverages;
 - 3) Any person to permit any fortified wine, spirituous liquor, or mixed beverages to be possessed or consumed upon any premises not authorized by this Chapter;
 - 4) Any person to possess or consume any fortified wine, spirituous liquor, or mixed beverages upon any premises where such possession or consumption is not authorized by law, or where the person has been forbidden to possess or consume that beverage by the owner or other person in charge of the premises;
 - 5) Any person to possess on any of the premises described in subsections (a) through (c) a greater amount of fortified wine or spirituous liquor than authorized by this Chapter;
 - 6) Any permittee, other than a mixed beverage or culinary permittee, to possess spirituous liquor or mixed beverages on his licensed premises;
 - 7) Any person to possess on his person or consume malt beverages or unfortified wine upon any property owned or leased by a local board of education and used by the local board of education for school purposes. Provided, however, the prohibition in G.S. 18B-102(a) and this subdivision shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioners, or a local school board.

18B-302. SALE TO OR PURCHASE BY UNDERAGE PERSONS

- a) Sale - It shall be unlawful for any person to:
 - 1) Sell or give malt beverages or unfortified wine to anyone less than 21 years old; or
 - 2) Sell or give fortified wine, spirituous liquor, or mixed beverages to anyone less than 21 years old.
- a1) Give – It shall be unlawful for any person to:
 - Give malt beverages or unfortified wine to anyone less than 21 years old; or
 - Give fortified wine, spirituous liquor, or mixed beverages to anyone less than 21 years old.
- b) Purchase, Possession or Consumption - It shall be unlawful for:
 - 1) A person less than 21 years old to purchase, to attempt to purchase, or to possess malt beverages or unfortified wine; or

- 2) A person less than 21 years old to purchase, to attempt to purchase, or to possess fortified wine, spirituous liquor, or mixed beverages.
 - 3) A person less than 21 years old to consume any alcoholic beverage.
- c) Aider and Abettor
- 1) By Underage Person - Any person who is under the lawful age to purchase and who aids or abets another in violation of subsection (a), (a1), or (b) of this section shall be guilty of a Class 2 misdemeanor.
 - 2) By Person over Lawful Age - Any person who is over the lawful age to purchase and who aids or abets another in violation of subsection (a), (a1), or (b) of this section shall be guilty of a Class 1 misdemeanor.
- d) Defense - It shall be a defense to a violation of subsection (a) of this section if the seller:
- 1) Shows that the purchaser produced a driver's license, a special identification card issued under G.S.20-37.7, a military identification card, or a passport, showing his age to be at least the required age for purchase and bearing a physical description of the person named on the card reasonably describing the purchaser; or
 - 2) Produces evidence of other facts that reasonably indicated at the time of sale that the purchaser was at least the required age.
 - 3) Shows that at the time of purchase, the purchaser utilized a biometric identification system that demonstrated (i) the purchaser's age to be at least the required age for the purchase and (ii) the purchaser had previously registered with the seller or seller's agent a drivers license, a special identification card, or a passport showing the purchaser's date of birth and bearing a physical description of the person named on the document.
- e) Fraudulent Use of Identification - It shall be unlawful for any person to enter or attempt to enter a place where alcoholic beverages are sold or consumed, or attempt to obtain alcoholic beverages, or to obtain or attempt to obtain permission to purchase alcoholic beverages, in violation of subsection (b) of this section by using or attempting to use any of the following:
- 1) A fraudulent or altered driver's license;
 - 2) A fraudulent or altered identification document other than a driver's license;
 - 3) A driver's license issued to another person; or
 - 4) An identification document other than a driver's license issued to another person.
 - 5) Any other form or means of identification that indicates or symbolizes that the person is not prohibited from purchasing or possessing alcoholic beverages under this section.
- f) Allowing Use of Identification - It shall be unlawful for any person to permit the use of the person's driver's license or any other form of identification of any kind issued or given to the person, by any other person who violates or attempts to violate subsection (b) of this section.
- g) Conviction Report Sent to Division of Motor Vehicles - The court shall file a conviction report with the Division of Motor Vehicles indicating the name of the person convicted and any other information requested by the Division if the person is convicted of:
- 1) A violation of subsection (e) or (f) of this section; or
 - 2) A violation of subdivision (c) (1) of this section; or
 - 3) A violation of subsection (b) of this section, if the violation occurred while the person was purchasing or attempting to purchase an alcoholic beverage.
 - 4) A violation of subsection (a1) of this section.
- Upon receipt of a conviction report, the division shall revoke the person's license as required by G.S. 20-17.3.
- h) [Omitted]
- i) Purchase or possession by 19 or 20 year old. A violation of subdivision (b)(1) of this section by a person who is 19 or 20 years old is a Class 3 misdemeanor
- j) Notwithstanding any other provisions of law, a law enforcement officer may require any person the officer has probable cause to believe is under age 21 and has consumed alcohol to submit to an alcohol screening test using a device approved by the Department of Health and Human Services. The results of any screening device administered in accordance with the rules of the Department of Health and Human Services shall be admissible in any court or administrative proceeding. A refusal to submit to an alcohol screening test shall be admissible in any court or administrative proceeding.

- k) Notwithstanding the provisions in this section, it shall not be unlawful for a person less than 21 years old to consume unfortified wine or fortified wine during participation in an exempted activity under G.S. 18B-103(4), (8), or (11). (1933, c. 216, s. 8; 1959, c. 745, s. 1; 1967, c. 222, s. 3; 1969, c. 998; 1971, c. 872, s. 1; 1973, c. 27; 1977, 2nd Sess., c. 1138, s. 2; 1979, c. 683, s. 2; 1981, c. 412, s. 2; c. 747, ss. 40, 41; 1983, c. 435, ss. 32, 35; c. 740, ss. 1, 2; Ex. Sess., c. 5; 1985, c. 141, ss. 2-3; 1993, c. 539, s. 311; 1994, Ex. Sess., c. 24, s. 14(c); 1999-406, s.7.; 2001-461, ss. 2,3; 2001-487, s. 42(b); 2005-350, s.6(a); 2006-253, s.26.; 2007-537, s.1).

18B-302.1. PENALTIES FOR CERTAIN OFFENSES RELATED TO UNDERAGE PERSONS

- a) A violation of G.S. 18B-302(a) or (a1) is a Class 1 misdemeanor. Notwithstanding the provisions of G.S. 15A-1340.23, if the court imposes a sentence that does not include active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least two hundred fifty dollars (\$250.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 25 hours of community service, as authorized by G.S. 15A-1343(b1)(6). If the person has a previous conviction of this offense in the four years immediately preceding the date of the current offense, and the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least five hundred dollars (\$500.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 150 hours of community service, as authorized by G.S. 15A-1343(b1)(6).
- b) A violation of G.S. 18B-302(c)(2) is a Class 1 misdemeanor. Notwithstanding the provisions of G.S. 15A-1340.23, if the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least five hundred dollars (\$500.00) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 25 hours of community service, as authorized by G.S. 15A-1343(b1)(6). If the person has a previous conviction of this offense in the four years immediately preceding the date of the current offense, and the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of no less than one thousand dollars (\$1000) as authorized by G.S. 15A-1343(b)(9) and a requirement that the person complete at least 150 hours of community service, as authorized by G.S. 15-1343(b1)(6).
- c) In addition to the punishments imposed under this section, the court may impose the provisions of G.S. 18B-202 and G.S. 18B-503, 18B-504, and 18B-505. (1999-433, s. 1.; 2007-537, s.2).

18B-303. AMOUNTS OF ALCOHOLIC BEVERAGES THAT MAY BE PURCHASED

- a) Purchases Allowed - Without a permit, a person may purchase at one time:
- 1) Not more than 80 Liters of malt beverages, except draft malt beverages in kegs for off-premises consumption. For purchase of a keg or kegs of malt beverages for off-premises consumption, the permit required by G.S. 18B-403.1(a) must first be obtained;
 - 2) Any amount of draft malt beverages by a permittee in kegs for on-premise consumption;
 - 3) Not more than 50 liters of unfortified wine;
 - 4) Not more than eight liters of either fortified wine or spirituous liquor, or eight liters of the two combined.
- b) Unlawful Purchase - Except as provided in subsection (c) and in Article 11, it shall be unlawful for any person to purchase, or for any person to sell, an amount of alcoholic beverages greater than that stated in subsection (a).

- c) Greater Amounts - Amounts of alcoholic beverages greater than those listed in subdivisions (a) (3) and (a) (4) may be purchased with a purchase-transportation permit under G.S. 18B-403.

18B-304. SALE AND POSSESSION FOR SALE

18B-400. AMOUNTS THAT MAY BE TRANSPORTED

A person may transport at one time the same amount of alcoholic beverages that he is allowed to buy under G.S. 18B-303(a). Greater amounts of fortified wine, unfortified wine and spirituous liquor may be transported with a purchase-transportation permit under G.S. 18B-403. The Commission may also authorize a distillery representative, in the course of his business, to transport and possess up to 10 gallons of spirituous liquor.

18B-401. MANNER OF TRANSPORTATION

- a) Opened Containers - It shall be unlawful for a person to transport fortified wine or spirituous liquor in the passenger area of a motor vehicle in other than the manufacturer's unopened original container. It shall be unlawful for a person who is driving a motor vehicle on a highway or public vehicular area to consume in the passenger area of that vehicle any malt beverage or unfortified wine. Violation of this subsection shall constitute a Class 3 misdemeanor.
- b) [Omitted.]
- c) Definitions – The definitions in Chapter 20 of the General Statutes apply in interpreting this section. If the seal on a container of alcohol has been broken, it is opened within the meaning of this section. For purposes of this section, “passenger area of a motor vehicle” means the area designated to seat the driver and passengers and any are within the reach of a seated driver or passenger, including the glove compartment. In the case of a station wagon, hatchback or similar vehicle, the area behind the last upright back seat shall not be considered part of the passenger area. (1923, c. 1, s. 25; C.S., s. 3411(y); 1937, c. 49, ss. 14, 16; c. 411; 1967, c. 222, ss. 1, 7; c. 1256, s. 3; 1969, c. 598, ss. 2, 3; c. 1018; 1971, c. 872, s. 1; 1977, c. 176, s. 1; c. 586; 1979, c. 607, s. 1; 1981, c. 412, s. 2; c. 747, s. 45; 1983, c. 435, s. 7; 1989, c. 553, s. 3; 1993, c. 508, s. 4, c. 539, s. 312; 1994, Ex. Sess., c. 24, s. 14 (c).)

18B-1006. MISCELLANEOUS PROVISIONS ON PERMITS

- a) School and College Campuses - No permit for the sale of malt beverages, unfortified wine, or fortified wine shall be issued to a business on the campus or property of a public school or college, other than at a regional facility as defined by G.S. 160A-480.2 operated by a facility authority under Part 4 of Article 20 of Chapter 160A of the General Statutes except for a public school or college function, unless that business is a hotel or nonprofit alumni organization with a mixed beverages permit or a special occasion permit. Provided, however, this subsection shall not apply on property owned by a local board of education which was leased for 99 years or more to a nonprofit auditorium authority created prior to 1991 whose governing board is appointed by a city board of aldermen, a county board of commissioner, or a local school board. This subsection shall also not apply to the constituent institutions of The University of North Carolina with respect to the sale of beer and wine at performing arts centers located on property owned or leased by the institutions if the seating capacity does not exceed 2,000 seats.

20-138.1. IMPAIRED DRIVING

- a) Offense - A person commits the offense of impaired driving if he drives any vehicle upon any highway, any street, or any public vehicular area within this state:
 - 1) While under the influence of an impairing substance; or
 - 2) After having consumed sufficient alcohol that he has, at any relevant time after the driving, an alcohol concentration of 0.08 or more. The results of a chemical analysis shall be deemed sufficient evidence to prove a person's alcohol concentration; or
 - 3) With any amount of a Schedule I controlled substance, as listed in G.S. 90-89, or its metabolites in his blood or urine.

- a1) A person who has submitted to a chemical analysis of a blood sample, pursuant to G.S. 20-139.1(d), may not use the result in rebuttal as evidence that the person did not have, at a relevant time after driving, an alcohol concentration of 0.08 or more.
- b) Defense Precluded. - The fact that a person charged with violating this section is or has been legally entitled to use alcohol or a drug is not a defense to a charge under this section.
- b1) Defence Allowed – Nothing in this section shall preclude a person from asserting that a chemical analysis result is inadmissible pursuant to G.S. 20-139.1(b2).
- c) Pleading - In any prosecution for impaired driving, the pleading is sufficient if it states the time and place of the alleged offense in the usual form and charges that the defendant drove a vehicle on a highway or public vehicular area while subject to an impairing substance.
- d) Sentencing Hearing and Punishment - Impaired driving as defined in this section is a misdemeanor. Upon conviction of a defendant of impaired driving, the presiding judge must hold a sentencing hearing and impose punishment in accordance with G.S. 20-179. (1983, c. 435, s. 24.)
- e) Exception - Notwithstanding the definition of "vehicle" pursuant to G.S. 20-4.01(49), for purposes of this section the word "vehicle" does not include a horse. (1983, c. 435, s. 24; 1989, c 711, s. 2; 1993, c. 285, s. 1; 2006-253, s .9.)

20-138.3. DRIVING BY PERSON LESS THAN 21 YEARS OLD AFTER CONSUMING ALCOHOL OR DRUGS

- a) Offense - It is unlawful for a person less than 21 years old to drive a motor vehicle on a highway or public vehicular area while consuming alcohol or at any time while he has remaining in his body any alcohol or in his blood a controlled substance previously consumed, but a person less than 21 years old does not violate this section if he drives with a controlled substance in his blood which was lawfully obtained and taken in therapeutically appropriate amounts.
- b) Subject to Implied-Consent Law - An offense under this section is an alcohol-related offense subject to the implied-consent provisions of G.S. 20-16.2
- b1) Odor insufficient - The odor of an alcoholic beverage on the breath of the driver is insufficient evidence by itself to prove beyond a reasonable doubt that alcohol was remaining in the driver's body in violation of this section unless the driver was offered an alcohol screening test or chemical analysis and refused to provide all required samples of breath or blood for analysis.
- b2) Alcohol Screening Test - Notwithstanding any other provision of law, an alcohol screening test may be administered to a driver suspected of violation of subsection (a) of this section, and the results of an alcohol screening test or the driver's refusal to submit may be used by a law enforcement officer, a court, or an administrative agency in determining if alcohol was present in the driver's body. No alcohol screening tests are valid under this section unless the device used is one approved by the Department for Health Services, and the screening test is conducted in accordance with the applicable regulations of the Department as to its manner and use.
- c) Punishment; Effect When Impaired Driving Offense Also Charged - The offense in this section is a Class 2 misdemeanor. It is not, in any circumstances, a lesser included offense of impaired driving under G.S. 20-138.1, but if a person is convicted under this section and of an offense involving impaired driving arising out of the same transaction, the aggregate punishment imposed by the court may not exceed the maximum applicable to the offense involving impaired driving, and any minimum punishment applicable must be imposed.
- d) Limited Driving Privilege - A person who is convicted of violating subsection (a) of this section and whose driver's license is revoked solely based on that conviction may apply for a limited driving privilege as provided in G.S. 20-179.3. This subsection shall apply only if the person meets both of the following requirements:
 - 1) Is 18, 19, or 20 years old on the date of the offense.
 - 2) Has not previously been convicted of a violation of this section.

The judge may issue the limited driving privilege only if the person meets the eligibility requirements of G.S. 20-179.3 other than the requirement in G.S. 20-179.3(b) (1) c. G.S. 20-

179(e) shall not apply. All other terms, conditions, and restrictions provided for in G.S. 20-179.3 shall apply. G.S. 20-179.3, rather than this subsection, governs the issuance of a limited driving privilege to a person who is convicted of violating subsection (a) of this section and of driving while impaired as a result of the same transaction.

20-138.7. TRANSPORTING AN OPEN CONTAINER OF ALCOHOLIC BEVERAGE

- a) Offense - No person shall drive a motor vehicle on a highway or the right-of-way of a highway:
 - 1) While there is an alcoholic beverage in the passenger area in other than the unopened manufacturer's original container; and
 - 2) While the driver is consuming alcohol or while alcohol remains in the driver's body.
- a1) Offense - No person shall possess an alcoholic beverage other than in the unopened manufacturer's original container, or consume an alcoholic beverage, in the passenger area of a motor vehicle while the motor vehicle is on a highway or the right-of-way of a highway. For purposes of this subsection, only the person who possesses or consumes an alcoholic beverage in violation of this subsection shall be charged with this offense.
- a2) Exception - It shall not be a violation of subsection (a1) of this section for a passenger to possess an alcoholic beverage other than in the unopened manufacturer's original container, or for a passenger to consume an alcoholic beverage, if the container is:
 - 1) In the passenger area of a motor vehicle that is designed, maintained, or used primarily for the transportation of persons for compensation;
 - 2) In the living quarters of a motor home or house car as defined in G.S. 20-4.01(27) d2.; or
 - 3) In a house trailer as defined in G.S. 20-4.01(14).
- a3) Meaning of Terms - Under this section, the term "motor vehicle" means only those types of motor vehicle which North Carolina law requires to be registered, whether the motor vehicle is registered in North Carolina or another jurisdiction.
- b) Subject to Implied-Consent Law - An offense under this section is an alcohol-related offense subject to the implied-consent provisions of G.S. 20-16.2.
- c) Odor Insufficient - The odor of an alcoholic beverage on the breath of the driver is insufficient evidence to prove beyond a reasonable doubt that alcohol was remaining in the driver's body in violation of this section, unless the driver was offered an alcohol screening test or chemical analysis and refused to provide all required samples of breath or blood for analysis.
- d) Alcohol Screening Test - Notwithstanding any other provision of law, an alcohol screening test may be administered to a driver suspected of violating subsection (a) of this section, and the results of an alcohol screening test or the driver's refusal to submit may be used by a law enforcement officer, a court, or an administrative agency in determining if alcohol was present in the driver's body. No alcohol screening tests are valid under this section unless the device used is one approved by the Commission for Health Services, and the screening test is conducted in accordance with the applicable regulations of the Commission as to the manner of its use.
- e) Punishment; Effect When Impaired Driving Offense Also Charged - Violation of this section shall be punished as a Class 3 misdemeanor for the first offense and shall be punished as a Class 2 misdemeanor for a second or subsequent offense. Violation of this section is not a lesser included offense of impaired driving under G.S. 20-138.1, but if a person is convicted under this section and of an offense involving impaired driving arising out of the same transaction, the punishment imposed by the court shall not exceed the maximum applicable to the offense involving impaired driving, and any minimum applicable punishment shall be imposed. A violation of this section shall be considered a moving violation for purposes of G.S. 20-16 (c). Violation of subsection (a1) of this section shall be an infraction and shall not be considered a moving violation for purposes of G.S. 20-16(c).
- f) Definitions - If the seal on a container of alcoholic beverages has been broken, it is opened within the meaning of this section. For purposes of this section "passenger area of a motor vehicle" means the area designed to seat the driver and passengers and any area within the reach of a seated driver or passenger, including the glove compartment. The area of the trunk

- or the area behind the last upright back seat of a station wagon, hatchback, or similar vehicle shall not be considered part of the passenger area. The term "alcoholic beverage" is as defined in G.S. 18B-101(4).
- g) Pleading - In any prosecution for a violation of subsection (a) of this section, the pleading is sufficient if it states the time and place of the alleged offense in the usual form and charges that the defendant drove a motor vehicle on a highway or the right-of-way of a highway with an open container of alcoholic beverage after drinking. In any prosecution for a violation of subsection (a1) of this section, the pleading is sufficient if it states the time and place of the alleged offense in the usual form and charges that (i) the defendant possessed an open container of alcoholic beverage in the passenger area of a motor vehicle while the motor vehicle was on a highway or the right-of-way of a highway, or (ii) the defendant consumed an alcoholic beverage in the passenger area of a motor vehicle while the motor vehicle was on a highway or the right-of-way of a highway.
 - h) Limited Driving Privilege - A person who is convicted of violating subsection (a) of this section and whose drivers license is revoked solely based on that conviction may apply for a limited driving privilege as provided for in G.S. 20-179.3. The judge may issue the limited driving privilege only if the driver meets the eligibility requirements of G.S. 20-179.3, other than the requirement in G.S. 20-179.3(b) (1) c. G.S. 20-179.3(e) shall not apply. All other terms, conditions, and restrictions provided for in G.S. 20-179.3 shall apply. G.S. 20-179.3, rather than this subsection, governs the issuance of a limited driving privilege to a person who is convicted of violating subsection (a) of this section and of driving while impaired as a result of the same transaction. (1995, c. 506, s. 9; 2000-155, s.4; 2002-25.s.1; 2006-66.s.21.7; 2007-182.s.2)

NORTH CAROLINA GENERAL STATUTES CONTROLLED SUBSTANCES

Students, faculty members, administrators, and other employees are responsible, as citizens, for knowing about and complying with the provisions of the North Carolina State Law that makes it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as “controlled substances” in Article 5 of Chapter 90 of the North Carolina General Statutes. Any member of the university community who violates the law is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by the university.

CONTROLLED SUBSTANCES

Controlled Substances Editor’s Note: Under the North Carolina Controlled Substances Act, Article 5, G.S. Ch. 90, the North Carolina Drug Commission is authorized to add, remove, or change the placement of a drug, substance, or immediate precursor to the list of controlled substances (those on Schedule I through VI). Controlled substances are listed in six schedules:

SCHEDULE I (90-89): A high potential for abuse, no currently accepted medical use in the United States, or lack of accepted safety for use in treatment under medical supervision. Examples include heroin, LSD, mescaline, psilocybin (mushrooms), peyote, Gamma Hydroxybutyric Acid (GHB), 4-hydroxybutyrate, 4-hydroxybutanoic acid, sodium oxybate and sodium oxybutyrate.

SCHEDULE II (90-90): A high potential for abuse, currently accepted medical use with severe restrictions, and abuse of the substance may lead to severe psychological or physical dependence. Examples are opium, cocaine, codeine, amphetamines, methadone and PCP.

SCHEDULE III (90-91): A potential for abuse less than the substances listed in Schedules I and II; currently accepted medical use in the United States; and abuse may lead to moderate or low physical dependence or high psychological dependence. Examples are certain barbiturates such as amobarbital and codeine-containing medicine such as Fiorinal #3, Doriden, and codeine-based cough suppressants. Also all anabolic steroids and ketamine.

SCHEDULE IV (90-92): A low potential for abuse relative to the substances listed in Schedule III, currently accepted medical use in the United States, and limited physical or psychological dependence relative to the substances listed in Schedule III. Examples include several commonly prescribed tranquilizers and stimulants such as Valium, Phenobarbital, Talwin, Librium and "yellow jackets."

SCHEDULE V (90-93): A low potential for abuse relative to the substances listed in Schedule IV, currently accepted medical use in the United States, and limited physical or psychological dependence relative to the substances listed in Schedule IV. These substances may be sold at retail without a prescription to anyone 18 or older by a registered pharmacist for medical purposes. Examples include substances that contain very limited amounts of codeine, dihydrocodeine, opium, ethylmorphine and atropine such as Terpine Hydrate with codeine and Robitussin AC.

SCHEDULE VI (90-94): No currently accepted medical use in the United States or a relatively low potential for abuse in terms of risk to public health, and potential to produce psychological or physiological dependence liability based upon present medical knowledge, or a need for further and continuing study to develop scientific knowledge of its pharmacological effects. The only substances on this schedule are marijuana and tetrahydrocannabinols, such as hashish and hash oil.

Violations and penalties involving controlled substances are set out in sections 90-95 and 90-95.1. Note the distinctions made for possession. Section 90-96 provides for special treatment for certain first offenses.

90-95. VIOLATIONS; PENALTIES

- a) Except as authorized by this Article, it is unlawful for any person:
 - 1) To manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver, a controlled substance.
 - 2) To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance;
 - 3) To possess a controlled substance.
- b) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a) (1) with respect to:
 - 1) A controlled substance classified in Schedule I or II shall be punished as a Class H felon, except as follows: (i) the sale of a controlled substance classified in Schedule I or II shall be punished as a Class G felony, and (ii) the manufacture of methamphetamine shall be punished as provided by subdivision (1a) of this subsection.
 - 1a) The manufacture of methamphetamine shall be punished as a Class C felony unless the offense was one of the following: packaging or repackaging methamphetamine, or labeling or relabeling the methamphetamine container. The offense of packaging of repackaging methamphetamine, or labeling or relabeling the methamphetamine container shall be punished as a Class H felony.
 - 2) A controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class I felon, except that the sale of a controlled substance classified in Schedule III, IV, V, or VI shall be punished as a Class H felon. The transfer of less than 5 grams of marijuana for no remuneration shall not constitute a delivery in violation of G.S. 90-95(a)(1).
 - a) Any person who violates G.S. 90-95(a) (2) shall be punished as a Class I felon.
 - b) Except as provided in subsections (h) and (i) of this section, any person who violates G.S. 90-95(a) (3) with respect to:
 - 1) A controlled substance classified in Schedule I shall be punished as a Class I felon;
 - 2) A controlled substance classified in Schedule II, III, or IV shall be guilty of a Class 1 misdemeanor. If the controlled substance exceeds four tablets, capsules, or other dosage units or equivalent quantity of hydromorphone or if the quantity of the controlled substance, or combination of the controlled substances, exceeds one hundred tablets, capsules or other dosage units, or equivalent quantity, the violation shall be punishable as a Class I felony. If the controlled substance is methamphetamine, amphetamine, phencyclidine, or cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or coca leaves and any salt, isomer, salts of isomers, compound, derivative, or preparation of coca leaves, or any salt, isomer, salts of isomers, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances (except decocanized coca leaves or any extraction of coca leaves which does not contain cocaine or ecgonine), the violation shall be punishable as a Class I felony.
 - 3) A controlled substance classified in Schedule V shall be guilty of a Class 2 misdemeanor;
 - 4) A controlled substance classified in Schedule VI shall be guilty of a Class 3 misdemeanor, but any sentence of imprisonment imposed must be suspended and the judge may not require at the time of sentencing that the defendant serve a period of imprisonment as a special condition of probation. If the quantity of the controlled substance exceeds one-half of an ounce (avoirdupois) of marijuana or one-twentieth of an ounce (avoirdupois) of the extracted resin of marijuana, commonly known as hashish, the violation shall be punishable as a Class 1 misdemeanor. If the quantity of the controlled substance exceeds one and one-half ounces (avoirdupois) of marijuana or three-twentieths of an ounce (avoirdupois) of the extracted resin of marijuana, commonly known as hashish, or if the controlled substance consists of any quantity of synthetic tetrahydrocannabinols or tetrahydrocannabinols isolated from the resin of marijuana, the violation shall be punishable as a Class I felony.
- (d1) (1) Except as authorized by this Article, it is unlawful for any person to:

- a) Possess an immediate precursor chemical with intent to manufacture a controlled substance; or
 - b) Possess or distribute an immediate precursor chemical knowing, or having reasonable cause to believe, that the immediate precursor chemical will be used to manufacture a controlled substance. Any person who violates this subsection shall be punished as a Class H felon, unless the immediate precursor is one that can be used to manufacture methamphetamine.
- 2) Except as authorized by this Article, it is unlawful for any person to:
- a) Possess an immediate precursor chemical with intent to manufacture methamphetamine; or
 - b) Possess or distribute an immediate precursor chemical knowing, or having reasonable cause to believe, that the immediate precursor chemical will be used to manufacture methamphetamine.

Any person who violates this subdivision shall be punished as a Class F felon.

(d2) The immediate precursor chemicals to which subsection (d1) of this section applies are those immediate precursor chemicals designated by the Commission pursuant to its authority under G.S. 90-88, and the following (until otherwise specified by the Commission):

- 1) Acetic anhydride.
- 2) Acetone.
- 3) Anhydrous ammonia.
- 4) Anthranilic acid.
- 5) Benzyl chloride.
- 6) Benzyl cyanide.
- 7) 2-Butanone (Methyl Ethyl Ketone).
- 8) Chloroephedrine.
- 9) Chloropseudoephedrine.
- 10) D-Lysergic acid.
- 11) Ephedrine.
- 12) Ergonovine maleate.
- 13) Ergotamine tartrate.
- 14) Ethyl ether.
- 15) Ethyl Malonate.
- 16) Ethylamine.
- 17) Gamma-butyrolactone.
- 18) Hydrochloric Acid.
- 19) Iodine.
- 20) Isosafrole.
- 21) Lithium.
- 22) Malonic acid.
- 23) Methylamine.
- 24) Methyl Isobutyl Ketone.
- 25) N-acetylanthranilic acid.
- 26) N-ethylephedrine.
- 27) N-ethylepseudoephedrine.
- 28) N-methylephedrine.
- 29) N-methylpseudoephedrine.
- 30) Norpseudoephedrine.
- 31) Phenyl-2-propane.
- 32) Phenylacetic acid.
- 33) Phenylpropanolamine.
- 34) Piperidine.
- 35) Piperonal.
- 36) Propionic anhydride.
- 37) Pseudoephedrine.
- 38) Pyrrolidine.
- 39) Red phosphorous.

- 40) Safrole.
 - 41) Sodium.
 - 42) Sulfuric Acid.
 - 43) Tetrachloroethylene.
 - 44) Thionylchloride.
 - 45) Toluene.
- e) The prescribed punishment and degree of any offense under this Article shall be subject to the following conditions, but the punishment for an offense may be increased only by the maximum authorized under any one of the applicable conditions:
- (1), (2) Repealed by Session Laws 1979, C.760, s. 5.
 - 3) If any person commits a Class 1 misdemeanor under this Article and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be punished as a Class I felon. The prior conviction used to raise the current offense to a Class I felony shall not be used to calculate the prior record level;
 - 4) If any person commits a Class 2 misdemeanor, and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be guilty of a Class 1 misdemeanor. The prior conviction used to raise the current offense to a Class 1 misdemeanor shall not be used to calculate the prior conviction level;
 - 5) Any person 18 years of age or over who violates G.S. 90-95(a)(1) by selling or delivering a controlled substance to a person under 16 years of age or a pregnant female shall be punished as a Class D felon. Any person 18 years of age or over who violates G.S. 90-95 (a) (1) by selling or delivering a controlled substance to a person who is 13 years of age or younger shall be punished as a Class C felon. Mistake of age is not a defense to a prosecution under this section. It shall not be a defense that the defendant did not know that the recipient was pregnant;
 - 6) For the purpose of increasing punishment under G.S. 90-95(e)(3) and (e)(4), previous convictions for offenses shall be counted by the number of separate trials at which final convictions were obtained and not by the number of charges at a single trial;
 - 7) If any person commits an offense under this Article for which the prescribed punishment requires that any sentence of imprisonment be suspended, and if he has previously been convicted for one or more offenses under any law of North Carolina or any law of the United States or any other state, which offenses are punishable under any provision of this Article, he shall be guilty of a Class 2 misdemeanor;
 - 8) Any person 21 years of age or older who commits an offense under G.S. 90-95(a)(1) on property used for a child care center, or an elementary or secondary school or within 1,000 feet of the boundary of real property used for a child care center, or for an elementary or secondary school shall be punished as a Class E felon. For purposes of this subdivision, the transfer of less than five grams of marijuana for no enumeration shall not constitute a delivery in violation of G.S. 90-95(a)(1). For purposes of this subdivision, a child care center is as defined in G.S. 110-86(3)a., and that is licensed by the Secretary of the Department of Health and Human Services.
 - 9) Any person who violates G.S. 90-95(a)(3) on the premises of a penal institution or local confinement facility shall be guilty of a Class H felony.
 - 10) Any person 21 years of age or older who commits an offense under G.S. 90-95(a)(1) on property that is a public park or within 1,000 feet of the boundary of real property that is a public park shall be punished as a Class E felon. For purposes of this subdivision, the transfer of less than five grams of marijuana for no remuneration shall not constitute a deliver in violation of G.S. 90-95(a)(1).
- g) Any person convicted of an offense or offenses under this Article who is sentenced to an active term of imprisonment that is less than the maximum active term that could have been imposed may, in addition, be sentenced to a term of special probation. Except as indicated in this subsection, the administration of special probation shall be the same as probation. The conditions of special probation shall be fixed in the same manner as probation, and the conditions may include requirements for rehabilitation treatment.

Special probation shall follow the active sentence. No term of special probation shall exceed five years. Special probation may be revoked in the same manner as probation; upon revocation, the original term of imprisonment may be increased by no more than the difference between the active term of imprisonment actually served and the maximum active term that could have been imposed at trial for the offense or offenses for which the person was convicted, and the resulting term of imprisonment need not be diminished by the time spent on special probation.

- h) Whenever matter is submitted to the North Carolina State Bureau of Investigation Laboratory, the Charlotte, North Carolina, Police Department Laboratory or to the Toxicology Laboratory, Reynolds Health Center, Winston-Salem for chemical analysis to determine if the matter is or contains a controlled substance, the report of that analysis certified to upon a form approved by the Attorney General by the person performing the analysis shall be admissible without further authentication in all proceedings in the district court division of the General Court of Justice as evidence of the identity, nature, and quantity of the matter analyzed. Provided, however, the provisions of this subsection may be utilized by the State only if:
- 1) The State notifies the defendant at least 15 days before trial of its intention to introduce the report into evidence under this subsection and provides a copy of the report to the defendant, and
 - 2) The defendant fails to file a written objection with the court, with a copy to the State, at least five business days before the proceeding that the defendant objects to the introduction of the report into evidence.

If the defendant's attorney of record, or the defendant if that person has no attorney, fails to file a written objection as provided in this subsection, then the report may be submitted into evidence without the testimony of the analyst. Upon filing a timely objection, the admissibility of the report shall be determined and governed by the appropriate rules of evidence.

Nothing in this subsection precludes the right of any party to call any witness or to introduce any evidence supporting or contradicting the evidence contained in the report.

(g1) Procedure for establishing chain of custody without calling unnecessary witnesses.

- 1) For the purpose of establishing the chain of physical custody or control of evidence consisting of or containing a substance tested or analyzed to determine whether it is a controlled substance, a statement signed by each successive person in the chain of custody that the person delivered it to the other person indicated on or about the date stated is prima facie evidence that the person had custody and made the delivery as stated, without the necessity of a personal appearance in court by the person signing the statement.
- 2) The statement shall contain a sufficient description of the material or its container so as to distinguish it as the particular item in question and shall state that the material was delivered in essentially the same condition as received. The statement may be placed on the same document as the report provided for in subsection (g) of this section.
- 3) The provisions of this subsection may be utilized by the State only if:
 - a) The State notifies the defendant at least 15 days before trial of its intention to introduce the statement into evidence under this subsection and provides the defendant with a copy of the statement, and
 - b) The defendant fails to notify the State at least five days before trial that the defendant objects to the introduction of the statement into evidence.
- 4) Nothing in this subsection precludes the right of any party to call any witness or to introduce any evidence supporting or contradicting the evidence contained in the statement.
 - h) Notwithstanding any other provision of law, the following provisions apply except as otherwise provided in this Article.

- 1) Any person who sells, manufactures, delivers, transports, or possesses in excess of 10 pounds (avoirdupois) of marijuana shall be guilty of a felony which felony shall be known as “trafficking in marijuana” and if the quantity of such substance involved:
 - a) Is in excess of 10 pounds, but less than 50 pounds, such person shall be punished as a Class H felon and shall be sentenced to a minimum term of 25 months and a maximum term of 30 months in the State’s prison and shall be fined not less than five thousand dollars (\$5,000);
 - b) Is 50 pounds or more, but less than 2,000 pounds, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 42 months in the State’s prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
 - c) Is 2,000 pounds or more, but less than 10,000 pounds, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 84 months in the State’s prison and shall be fined not less than fifty thousand dollars (\$50,000);
 - d) Is 10,000 pounds or more, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 219 months in the State’s prison and shall be fined not less than two hundred thousand dollars (\$200,000).
- 2) Any person who sells, manufactures, delivers, transports, or possesses 1,000 tablets, capsules or other dosage units, or the equivalent quantity, or more of methaqualone, or any mixture containing such substance, shall be guilty of a felony which felony shall be known as “trafficking in methaqualone” and if the quantity of such substance or mixture involved:
 - a) Is 1,000 or more dosage units, or equivalent quantity, but less than 5,000 dosage units, or equivalent quantity, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 42 months in the State’s prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
 - b) Is 5,000 or more dosage units, or equivalent quantity, but less than 10,000 dosage units, or equivalent quantity, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 84 months in the State’s prison and shall be fined not less than fifty thousand dollars (\$50,000);
 - c) Is 10,000 or more dosage units, or equivalent quantity, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 219 months in the State’s prison and shall be fined not less than two hundred thousand dollars (\$200,000).
- 3) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of cocaine and any salt, isomer, salts of isomers, compound, derivative, or preparation thereof, or any coca leaves and any salt, isomer, salts of isomers, compound, derivative, or preparation of coca leaves, and any salt, isomer, salts of isomers, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances (except decocainized coca leaves or any extraction of coca leaves which does not contain cocaine) or any mixture containing such substances, shall be guilty of a felony, which felony shall be known as “trafficking in cocaine” and if the quantity of such substance or mixture involved:
 - a) Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 42 months in the State’s prison and shall be fined not less than fifty thousand dollars (\$50,000);
 - b) Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 84 months in the State’s prison and shall be fined not less than one hundred thousand dollars (\$100,000);

- c) Is 400 grams or more, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 219 months in the State's prison and shall be fined at least two hundred fifty thousand dollars (\$250,000).
- (3a) Repealed by Session Laws 1999-370, s. 1., effective December 1, 1999.
- (3b) Any person who sells, manufactures, delivers, transports, or possesses 28 grams or more of methamphetamine or amphetamine shall be guilty of a felony which felony shall be known as "trafficking in methamphetamine or amphetamine" and if the quantity of such substance or mixture involved:
- a) Is 28 grams or more, but less than 200 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 84 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
 - b) Is 200 grams or more, but less than 400 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 117 months in the State's prison and shall be fined not less than one hundred thousand dollars (\$100,000);
 - c) Is 400 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 279 months in the State's prison and shall be fined at least two hundred fifty thousand dollars (\$250,000);
- 4) Any person who sells, manufactures, delivers, transports, or possesses four grams or more of opium or opiate, or any salt, compound, derivative, or preparation of opium or opiate, (except apomorphine, nalbuphine, analoxone and naltrexone and their respective salts), including heroin, or any mixture containing such substance, shall be guilty of a felony which felony shall be known as "trafficking in opium or heroin" and if the quantity of such controlled substance or mixture involved:
- a) Is four grams or more, but less than 14 grams, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 84 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
 - b) Is 14 grams or more, but less than 28 grams, such person shall be punished as a Class E felon and shall be sentenced to a minimum term of 90 months and a maximum term of 117 months in the State's prison and shall be fined not less than one hundred thousand dollars (\$100,000);
 - c) Is 28 grams or more, such person shall be punished as a Class C felon and shall be sentenced to a minimum term of 225 months and a maximum term of 279 months in the State's prison and shall be fined not less than five hundred thousand dollars (\$500,000).
- (4a) Any person who sells, manufactures, delivers, transports, or possesses 100 tablets, capsules, or other dosage units, or the equivalent quantity, or more, of Lysergic Acid Diethylamide, or any mixture containing such substance, shall be guilty of a felony, which felony shall be known as "trafficking in Lysergic Acid Diethylamide." If the quantity of such substance or mixture involved:
- a) Is 100 or more dosage units, or equivalent quantity, but less than 500 dosage units, or equivalent quantity, such person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 42 months in the State's prison and shall be fined not less than twenty-five thousand dollars (\$25,000).
 - b) Is 500 or more dosage units, or equivalent quantity, but less than 1,000 dosage units, or equivalent quantity, such person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 84 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);

- c) Is 1,000 or more dosage units, or equivalent quantity, such person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 219 months in the State's prison and shall be fined not less than two hundred thousand dollars (\$200,000).
- (4b) Any person who sells, manufactures, delivers, transports, or possesses 100 or more tablets, capsules, or other dosage units, or 28 grams or more of 3,4-methylenedioxyamphetamine (MDA), including its salts, isomers, and salts of isomers, or 3,4-methylenedioxymethamphetamine (MDMA), including its salts, isomers, and salts of isomers, or any mixture containing such substances, shall be guilty of a felony, which felony shall be known as "trafficking in MDA/MDMA." If the quantity of the substance or mixture involved:
 - a) Is 100 or more tablets, capsules, or other dosage units, but less than 500 tablets, capsules, or other dosage units, or 28 grams or more, but less than 200 grams, the person shall be punished as a Class G felon and shall be sentenced to a minimum term of 35 months and a maximum term of 42 months in the State's prison and shall be fined not less than twenty-five thousand dollars (\$25,000);
 - b) Is 500 or more tablets, capsules, or other dosage units, but less than 1,000 tablets, capsules, or other dosage units, or 200 grams or more, but less than 400 grams, the person shall be punished as a Class F felon and shall be sentenced to a minimum term of 70 months and a maximum term of 84 months in the State's prison and shall be fined not less than fifty thousand dollars (\$50,000);
 - c) Is 1,000 or more tablets, capsules, or other dosage units, or 400 grams or more, the person shall be punished as a Class D felon and shall be sentenced to a minimum term of 175 months and a maximum term of 219 months in the State's prison and shall be fined not less than two hundred fifty thousand dollars (\$250,000).
- 5) Except as provided in this subdivision, a person being sentenced under this subsection may not receive a suspended sentence or be placed on probation. The sentencing judge may reduce the fine, or impose a prison term less than the applicable minimum prison term provided by this subsection, or suspend the prison term imposed and place a person on probation when such person has, to the best of his knowledge, provided substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, coconspirators, or principals if the sentencing judge enters in the record a finding that the person to be sentenced has rendered such substantial assistance.
- 6) Sentences imposed pursuant to this subsection shall run consecutively with and shall commence at the expiration of any sentence being served by the person sentenced hereunder.
 - (i) The penalties provided in subsection (h) of this section shall also apply to any person who is convicted of conspiracy to commit any of the offenses described in subsection (h) of this section.

POSSESSION OF DRUG PARAPHERNALIA
90-113.21. GENERAL PROVISIONS

- a) As used in this Article, "drug paraphernalia" means all equipment, products and materials of any kind that are used to facilitate, or intended or designed to facilitate, violations of the Controlled Substances Act, including planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, and concealing controlled substances and injecting, ingesting, inhaling, or otherwise introducing controlled substances into the human body. "Drug paraphernalia" includes, but is not limited to, the following:
 - 1) Kits for planting, propagating, cultivating, growing, or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived;
 - 2) Kits for manufacturing, compounding, converting, producing, processing, or preparing controlled substance;
 - 3) Isomerization devices for increasing the potency of any species of plant which is a controlled substance;

- 4) Testing equipment for identifying, or analyzing the strength, effectiveness, or purity of controlled substances;
 - 5) Scales and balances for weighing or measuring controlled substances;
 - 6) Diluents and adulterants, such as quinine, hydrochloride, mannitol, mannite, dextrose, and lactose for mixing with controlled substances;
 - 7) Separation gins and sifters for removing twigs and seeds from, or otherwise cleaning or refining, marijuana;
 - 8) Blenders, bowls, containers, spoons, and mixing devices for compounding controlled substances;
 - 9) Capsules, balloons, envelopes and other containers for packaging small quantities of controlled substances;
 - 10) Containers and other objects for storing or concealing controlled substances;
 - 11) Hypodermic syringes, needles, and other objects for parenterally injecting controlled substances into the body;
 - 12) Objects for ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the body, such as:
 - a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
 - b) Water pipes;
 - c) Carburetion tubes and devices;
 - d) Smoking and carburetion masks;
 - e) Objects, commonly called roach clips, for holding burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
 - f) Miniature cocaine spoons and cocaine vials;
 - g) Chamber pipes;
 - h) Carburetor pipes;
 - i) Electric pipes;
 - j) Air-driven pipes;
 - k) Chillums;
 - l) Bonges;
 - m) Ice pipes or chillers.
- b) The following, along with all other relevant evidence, may be considered in determining whether an object is drug paraphernalia:
- 1) Statements by the owner or anyone in control of the object concerning its use;
 - 2) Prior convictions of the owner or other person in control of the object for violations of controlled substances law;
 - 3) The proximity of the object to a violation of the Controlled Substances Act;
 - 4) The proximity of the object to a controlled substance;
 - 5) The existence of any residue of a controlled substance on the object;
 - 6) The proximity of the object to other drug paraphernalia;
 - 7) Instructions provided with the object concerning its use;
 - 8) Descriptive materials accompanying the object explaining or depicting its use;
 - 9) Advertising concerning its use;
 - 10) The manner in which the object is displayed for sale;
 - 11) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a seller of tobacco products or agricultural supplies;
 - 12) Possible legitimate uses of the object in the community;
 - 13) Expert testimony concerning its use;
 - 14) The intent of the owner or other person in control of the object to deliver it to persons whom he knows or reasonably should know intends to use the object to facilitate violations of the Controlled Substances Act.

90-113.22. POSSESSION OF DRUG PARAPHERNALIA

- a) It is unlawful for any person to knowingly use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert,

produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal a controlled substance which it would be unlawful to possess, or to inject, ingest, inhale, or otherwise introduce into the body a controlled substance which it would be unlawful to possess.

- b) Violation of this section is a Class 1 misdemeanor.

90-113.23. MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA

- a) It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia knowing that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal a controlled substance which it would be unlawful to possess, or that it will be used to inject, ingest, inhale, or otherwise introduce into the body a controlled substance which it would be unlawful to possess.
- b) Delivery, possession with intent to deliver, or manufacture with intent to deliver, of each separate and distinct item of drug paraphernalia is a separate offense.
- c) Violation of this section is a Class 1 misdemeanor. However, delivery of drug paraphernalia by a person over 18 years of age to someone under 18 years of age who is at least three years younger than the defendant shall be punishable as a Class I felony.

Federal Trafficking Penalties: Schedule I - V Drugs

Federal Trafficking Penalties

CSA	PENALTY			DRUG	Quantity	PENALTY		
	2nd Offense	1st Offense	Quantity			2nd Offense	1st Offense	
I	Not less than 10 years No more than life.	Not less than 5 years No more than 40 years.	5-49 gm or 50-499 gm mixture	METHAMPHETAMINE	50 gm or more or 500 gm mixture	Not less than 20 years. Not more than life.	Not less than 10 years No more than life.	
and	If death or serious injury, not less than life	If death or serious injury, not less than 20 years. Not more than life.	100-999 gm mixture	HEROINE	1 kg or more	If death or serious injury, not less than 20 years or life.	If death or serious injury, not less than life.	
II	Fine of not more than \$50 million other than individual.	Fine of not more than \$5 million individual, \$25 million other than individual.	500-4,999 gm mixture	COCAINE	5 kg or more mixture	Fine of not more than \$20 million individual, \$75 million other than individual.	Fine of not more than \$10 million individual, \$50 million other than individual.	
			5-49 gm	COCAINE BASE	50 gm or more mixture			
			10-99 gm or 100-999 gm mixture	PCP	100 gm or more or 1 kg or more mixture			
			1-9 gm mixture	LSD	10 gm or more mixture			
			40-399 gm mixture	FETANYL	400 gm or more mixture			
			10-99 gm mixture	FETANYL ANALOGUE	100 gm or more mixture			
	Drug	Quantity	First Offense			Second Offense		
	Any other CSA I, CSA II or 1 gm or more Flunitrazepam	Any	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.			Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual.		
III	CSA III or 30-99 gm Flunitrazepam	Any	Not more than 10 years. Fine not more than \$250,000 individual, \$1 million not individual.			Not more than 20 years. Fine not more than \$500,000 individual, \$2 million not individual.		
IV	Any	Any	Not more than 51 years. Fine not more than \$250,000 individual, \$1 million not individual.			Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.		
V	Any	Any	Not more than 1 years. Fine not more than \$100,000 individual, \$250,000 not individual.			Not more than 4 years. Fine not more than \$200,000 individual, \$500,000 not individual.		

Note: Federal Trafficking Penalties as of October 1999.

Federal Trafficking Penalties: Schedule VI Drugs/Marijuana

Federal Trafficking Penalties - Marijuana		
Quantity	Description	Second Offense
1,000 kg or more; or 1,000 or more plants	Marijuana Mixture containing detectable quantity*	No less than 20 years, not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual, \$20 million other than individual.
100 kg to 999 kg; or 100 to 999 plants	Marijuana Mixture containing detectable quantity*	No less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.
50 to 100 kg	Marijuana	
10 kg or more	Hashish	
1 kg or more	Hashish Oil	
50 to 99 plants	Marijuana	
Less than 50 kg	Marijuana	
Less than 10 kg	Hashish	
Less than 1 kg	Hashish Oil	

NOTE: Federal Trafficking Penalties - Marijuana as of October, 1999.
* Includes Hashish and Hashish Oil (Marijuana is a Schedule VI Controlled Substance)

Health Risks

Drug and alcohol abuse have many costs to our society, including loss of work productivity, disruption to families, and loss of life. Members of the campus community who are 24 years old or younger may be especially susceptible to the long-term health effects of using alcohol and drugs due to their continued brain development during this period.

The health risks of alcohol and drugs are detailed in the charts Commonly Abused Drugs and Selected Prescription Drugs with Potential for Abuse from the National Institute on Drug Abuse (www.drugabuse.gov) printed in this handbook. Members of the campus community are encouraged to research the health effects of drugs through reputable scientific sources, such as the National Institute on Drug Abuse (www.nida.nih.gov), the National Institute on Alcohol Abuse and Alcoholism (www.niaaa.nih.gov), and the Centers for Disease Control (www.cdc.gov).

Alcohol abuse is one of the most concerning health issues facing college campuses. Excessive and underage drinking is linked to over 1900 deaths of college students per year, in addition to 599,000 students sustaining alcohol-related injuries, 696,000 students experiencing assaults, 400,000 students having unsafe sex while under the influence of alcohol, and 150,000 students experiencing alcohol-related health problems (Hingson, 2009, www.collegedrinkingprevention.gov).

Abuse of alcohol can produce severe health risks, including death. 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 of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. 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 the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver (Source: U.S. Department of Education, Office of Safe and Drug-Free Schools, 1992).

Addiction is a concern among college students; in one study, 31 percent of college students met criteria for a diagnosis of alcohol abuse and 6 percent for a diagnosis of alcohol dependence in the past 12 months, according to questionnaire-based self-reports about their drinking (Knight, 2002). However, the campus environment is one that supports people in recovery from addiction as well. Overall, any campus community member who uses alcohol is encouraged to become as knowledgeable as possible about the effects of alcohol on their health and guidelines for safe and responsible use (examples are available at www.rethinkingdrinking.niaaa.nih.gov or www.uncw.edu/crossroads).

Substances, Category and Name	Examples of Commercial and Street Names	DEA Schedule/ How Administered*	Acute Effects/Health Risks
Prescription Medications			
CNS Depressants			
Stimulants			
Opioid Pain Relievers			

For more information on prescription medications, please visit <http://bitz/www.nida.nih.gov/DrugPages/PrescriptionChart.html>.

*Schedule II and III drugs have a high potential for abuse. They require special storage security and have a quota on manufacturing, among other restrictions. Schedule II, III, and IV drugs are available by prescription, may have five refills in 6 months, and may be ordered orally. Some Schedule V drugs are available over the counter.

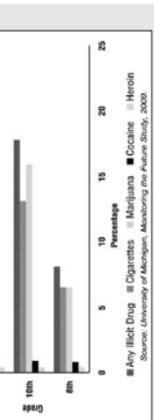
** Some of the health risks are directly related to the route of drug administration. For example, injection drug use can increase the risk of infection through needle contamination with staphylococci, HIV, hepatitis, and other organisms.

*** Associated with sexual assaults.

Principles of Drug Addiction Treatment

More than three decades of scientific research show that treatment can help drug-addicted individuals stop drug use, avoid relapse and successfully recover their lives. Based on this research, 13 fundamental principles that characterize effective drug abuse treatment have been developed. These principles are detailed in NIDA's Principles of Drug Addiction Treatment: A Research-Based Guide, which also describes different types of science-based treatments and provides answers to commonly asked questions.

- Addiction is a complex but treatable disease that affects brain function and behavior.** Drugs alter the brain's structure and how it functions, resulting in changes that affect how individuals think and feel. Many people who relapse are at risk for relapse over long periods of abstinence.
- No single treatment is appropriate for everyone.** Matching treatment settings, interventions, and services to an individual's particular problems and needs is critical to his or her ultimate success.
- Treatment needs to be readily available.** Because drug-addicted individuals may be uncertain about entering treatment, taking advantage of available services the moment people are ready for treatment is critical. Potential patients can be lost if treatment is not immediately available or readily accessible.
- Effective treatment attends to multiple needs of the individual, not just his or her drug abuse.** To be effective, treatment must address the individual's drug abuse and any associated medical, psychological, social, vocational, and legal problems.
- Remaining in treatment for an adequate period of time is critical.** The appropriate duration for an individual depends on the type and degree of his or her problems and needs. Research indicates that most addicted individuals need at least 3 months in treatment to significantly reduce or stop their drug use and that the best outcomes occur with longer durations of treatment.
- Counseling—individual and/or group—and other behavioral therapies are the most effective.** These approaches help individuals understand their drug abuse, learn to resist drug use, replace drug-using activities with constructive and rewarding activities, improve problem-solving skills, and facilitate better interpersonal relationships.
- Medications are an important element of treatment for many patients, especially when combined with counseling and other behavioral therapies.** For example, methadone and buprenorphine are effective in helping individuals addicted to heroin or other opiates stabilize their lives and reduce their illicit drug use. Also, for persons addicted to nicotine, a nicotine replacement product (nicotine patches or gum) or an oral medication can be an important component of treatment when used as part of a comprehensive behavioral treatment program.
- An individual's treatment and services plan must be assessed continually and modified as necessary to ensure it meets his or her changing needs.** A patient may require varying combinations of services and treatment components during the course of treatment and recovery. In addition to counseling and psychotherapy, a patient may



Source: SAMHSA, 2009 NSDUH

NIDA
NATIONAL INSTITUTE ON DRUG ABUSE
RESEARCH INFORMATION CENTER

Order NIDA publications from DrugPubs:
1-877-643-2644 or 1-240-645-0228 (TTY/TDD)

Revised October 2010

Prescription Drugs: Uses and Effects

Selected Prescription Drugs With Potential for Abuse		Visit NIDA at www.drugabuse.gov	
Substances: Category and Name	Examples of Commercial and Street Names	DEA Schedule* / How Administered**	Intoxication Effects/Potential Health Consequences
Depressants			
barbiturates	<i>Amylal, Nembutal, Secobarbital</i> ; bars, reds, red birds, phennies, toones, yellows, yellow jackets	II, III, IV/injected, swallowed	reduced pain and anxiety, feeling of well-being; lowered inhibitions; slowed pulse and breathing; lowered blood pressure; poor concentration/confusion, fatigue; impaired coordination, memory, judgment; respiratory depression and arrest, addiction
benzodiazepines (other than flunitrazepam)	<i>Alivan, Halcon, Librium, Valium, Xanax</i> ; candy, downers, sleeping pills, tranks	IV/swallowed	Also, for barbiturates—sedation, drowsiness/depression, unusual excitement, fever, irritability, poor judgment, slurred speech, dizziness
flunitrazepam****	<i>Rohypnol</i> ; forget-me pill, Mexican Valium, R2, Roche, roofies, roofinol, ropi, rophies	IV/swallowed, snorted	for benzodiazepines—sedation, drowsiness/depression, urinary retention, memory loss for the time under the drug's effects
Dissociative Anesthetics			
ketamine	<i>Ketalar, SV</i> ; cat Valium, K, Special K, vitamin K	II/injected, snorted, smoked	increased heart rate and blood pressure, impaired motor function/memory
Opioids and Morphine Derivatives			
codeine	<i>Empirin with Codeine, Fiorinal with Codeine, Robitussin A-C, Tylenol with Codeine</i> ; Captain Cook, Cody, schoolboy; (with glutathimide) doors & tours, leads, pancakes and syrup	II, III, IV/injected, swallowed	Also, for ketamine—sedation, delirium, depression, respiratory depression and arrest
fantanyl	<i>Acety, Duragesic, Sublimaze</i> ; Apache, China girl, China white, dance fever, friend, goodieola, jacksot, murder 8, TNT, Tampa and Cash	IV/injected, smoked, snorted	pain relief, euphoria, drowsiness/respiratory depression and arrest, nausea, constipation, constipation, sedation, unconsciousness, coma, tolerance, addiction
morphine	<i>Roxanol, Duramorph</i> ; M, Miss Emma, monkey, white stuff	II, III/injected, swallowed, smoked	Also, for codeine—less analgesia, sedation, and respiratory depression than morphine
opium	laudanum, paregoric; big D, black stuff, black, gum, hoo	II, III, IV/swallowed, smoked	
other opioid pain relievers (oxycodone, meperidine, hydromorphone, hydrocodone, propoxyphene)	<i>Tylox, OxyContin, Percodan, Percocet</i> ; coy 80s, coycticon, coyset, hillbilly heroin, pers, Denver, nisperidine hydrochloride; demmies, pain killer, Vicodin, Lortab, Lorect, Darvon, Darvoet	II, III, IV/swallowed, injected, suppositories, chewed, crushed, snorted	
Stimulants			
amphetamines	<i>Biphetamine, Desferaline</i> ; berries, black beauties, crosses, hearts, LA turnaround, speed, tes-tones, upper	IV/injected, swallowed, smoked,	increased heart rate, blood pressure, metabolism; feelings of exhilaration, appetite, weight loss; heart failure
cocaine	<i>Cocaine hydrochloride</i> ; blow, bump, C, candy, Charlie, coke, crack, flake, rock, snow, toot	IV/injected, smoked, snorted	Also, for amphetamines—rapid breathing, hallucinations/tremor, loss of coordination; irritability, anxiety, restlessness, delirium, panic, paranoia, impulsive behavior, aggressiveness, tolerance, addiction
methamphetamine	<i>Desoxy</i> ; chalk, crank, crystal, fire, glass, go fast, ice, meth, speed	IV/injected, swallowed, smoked,	for cocaine—increased temperature/chest pain, respiratory failure, nausea, abdominal pain, strokes, seizures, headaches, malnutrition
methamphetamine	<i>Ritalin, Jiff, MPH, R-ball, Skippy</i> , the smart drug, vitamin R	IV/injected, swallowed, snorted	for methamphetamine—aggression, violence, psychotic behavior/memory loss, cardiac and neurological damage, impaired memory and learning, tolerance, addiction
Other Compounds			
anabolic steroids	<i>Anadrol, Oandrin, Durabolin, Depo-Testosterone, Equipoise</i> ;roids, juice	III/injected, swallowed, applied to skin	for methylphenidate—decrease or increase in blood pressure, psychotic episodes/digestive problems, loss of appetite, weight loss

*Schedule I and II drugs have a high potential for abuse. They require greater stringency security and have a quota on manufacturing, among other restrictions. Schedule I drugs are available for research only and have no approved medical use. Schedule II drugs are available for medical use, but have a high potential for abuse. Schedule III, IV, and V drugs are available for medical use, but have a lower potential for abuse than Schedule I and II drugs.

**Taking drugs by injection can increase the risk of infection through needle contamination with staphylococci, HIV, hepatitis, and other organisms.

***Associated with sexual assaults.

****Not available by prescription in U.S.

Federal Drug-Free Workplace Act of 1988

It is the policy of UNCW that all employees shall have the right to a workplace which is free of alcohol and other drugs. This policy is established to ensure the safety and well-being of employees as well as the general public. All employees of UNCW are covered by this policy. It is the responsibility of management, supervisors and employees to become familiar with the expectations of UNCW and to comply with the provisions of this act, the policy and other provisions outlined in this handbook. Compliance with the provisions of this policy shall be a condition of employment and violation of this policy may include disciplinary action up to and including dismissal. All new hires, (faculty, staff and student employees) will be provided a copy of this policy and will be notified of their obligation for compliance as a condition of employment.

In the event of a conflict between the provisions of this policy and related state or federal law or policy, the federal law or policy shall always control.

As with state law, the manufacture, distribution, dispensing, possession or use of an illegal substance is prohibited.

Any employee convicted of any criminal drug statute violation occurring in or on the workplace premises must notify the appropriate supervisor or management person no later than five (5) calendar days after such conviction. Management will notify Human Resources immediately. Failure to provide notification shall be cause for disciplinary action up to and including dismissal.

Any employee convicted of an off-duty drug-related offense which could directly or indirectly affect their credibility or ability to carry out effectively the duties and responsibilities of their position shall be subject to disciplinary action up to and including dismissal.