

DRUG-FREE SCHOOLS AND COMMUNITY ACT

**STANDARDS OF CONDUCT
LEGAL PROHIBITIONS AND SANCTIONS
HEALTH RISK
DISCIPLINARY SANCTIONS
DRUG AND ALCOHOL SERVICES**



METROPOLITAN
Community College

November 2016

Drug-free campus policy

Standards of conduct for employees and students regarding alcohol and drugs

The illegal possession, use or distribution of drugs or alcohol by students and employees is a violation of Metropolitan Community College rules as well as state and federal laws. The MCC Board of Governors has directed officers of the College to cooperate with state and federal agencies in the prevention of drug abuse. In satisfaction of this mandate and in order to fulfill obligations under the Drug-Free Workplace Act of 1988, 41 U.S.C. § 701 and the Drug-Free Schools and Communities Act of 1989, 20 U.S.C. § 1145g, the College has formulated standards of conduct for both its employees and its students that prohibit the following acts:

1. Use, possession, manufacture, distribution or sale of illegal drugs or drug paraphernalia on College premises, while on College business, at College activities or in College-supplied vehicles either during or after working hours.
2. Unauthorized use, possession, manufacture, distribution or sale of a controlled substance as defined by the Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq. or Nebraska Drug Control Laws, Neb. Rev. Stat. §§ 28-401 et seq. on College premises, while on College business, at College activities or in College-supplied vehicles either during or after working hours.
3. Unauthorized use, possession, manufacture, distribution or sale of alcohol on College premises, while on College business, at College activities or in College-supplied vehicles either during or after working hours.
4. Storing in a locker, desk, vehicle or other place on College-owned or occupied premises any unauthorized controlled substances, drug paraphernalia or alcohol.
5. Use of alcohol off College premises that adversely affects an employee's or student's work or academic performance or an employee's or student's safety or the safety of others.
6. Use, possession, manufacture, distribution or sale of illegal drugs off College premises that adversely affects the employee's work performance or the student's academic performance or an employee's or student's safety or the safety of others.
7. Violation of state or federal laws relating to the unauthorized use, possession, manufacture, distribution or sale of alcohol, controlled substances or drug paraphernalia.
8. Employee's failure to notify his/her supervisor of an employee's arrest or conviction under any criminal drug statute as a result of a violation of law that occurs at MCC.

Description of applicable legal sanctions under federal, state or local law for unlawful possession or distribution of illicit drugs and alcohol

The information on the following pages summarizes selected provisions of federal, state and local laws that provide criminal and civil penalties for unlawful possession or distribution of drugs and alcohol.

Federal penalties and sanctions for illegal possession of controlled substances

21 U.S.C. § 844(a)

First conviction: Up to one year imprisonment and fine of at least \$1,000 or both.

After one prior drug conviction: At least 15 days in prison, not to exceed two years, and fine of at least \$2,500.

After two or more prior drug convictions: At least 90 days in prison, not to exceed three years, and fine of at least \$5,000.

Special sentencing provisions for possession of crack cocaine: mandatory minimum five years in prison, maximum 20 years, and minimum fine of \$1,000, if:

- First conviction and the amount of crack possessed exceeds five grams.
- Second crack conviction and the amount of crack possessed exceeds three grams.
- Third or subsequent crack conviction and the amount of crack possessed exceeds one gram.

21 U.S.C. § 853(a) (2) and 881(a) (7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment.

(See special sentencing provisions regarding crack cocaine.)

21 U.S.C. § 881(a) (4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. § 844(a)

Civil fine of up to \$10,000.

21 U.S.C. § 862

Denial of federal benefits, such as student loans, grants, contracts and professional and commercial licenses, up to one year for first offense and up to five years for second and subsequent offenses.

18 U.S.C. § 922(g)

Ineligible to receive or purchase a firearm.

Miscellaneous

Revocation of certain federal licenses and benefits (e.g., pilot licenses, public housing tenancy) are vested within the authorities of individual federal agencies.

Note: These are only federal penalties and sanctions. Additional state penalties and sanctions may apply.

Appendix A contains the Drug Enforcement Administration's charts on federal trafficking.

The charts were taken from U.S. Department of Justice, Drug Enforcement Administration, Drugs of Abuse (1997 edition). These charts summarize trafficking penalties under federal law for various types of drugs.

State penalties and sanctions for illegal possession of controlled substances

The framework for the regulation of most drugs, also called controlled substances, is set out in the Uniform Controlled Substances Act. In addition, there are other Nebraska state laws that establish penalties for various drug-related offenses that are summarized in the chart in Appendix B.

Crimes involving minors

Any person 18 years of age or older who distributes, delivers or sells controlled substances to a person under the age of 18 years shall be punished by the next-higher penalty classification for a first offense or second offense involving drugs such as heroin, speed, cocaine, LSD or pentazocine. The law also provides for an enhanced penalty for anyone 18 years of age or older who employs, uses, persuades or coerces any person under the age of 18 years to manufacture, transport, distribute, carry, deliver, dispense or possess with intent to do the same of a controlled substance or a counterfeit controlled substance. Neb. Rev. Stat. § 28-416(4) and (5) (Supp. 1999).

Tax provisions

Anyone who possesses or sells the following amounts of controlled substances must pay the appropriate taxes to the Nebraska Department of Revenue and have the stamps attached to the controlled substances:

- Marijuana is taxed at \$100 for each ounce or portion of an ounce.
- Any controlled substance that is sold by weight or volume (i.e., cocaine, crack, methamphetamine, etc.) is taxed at \$150 for each gram or portion of a gram.
- Any controlled substance that is not sold by weight (i.e., LSD, quaaludes, methamphetamine in tablets, PCP, etc.) is taxed at \$500 for each 50 dosage units or portion thereof.
- Failure to have the proper tax stamps attached to the controlled substance carries a criminal penalty of up to five years imprisonment or a \$10,000 fine or both. A penalty equal to 100 percent of the unpaid tax will also be assessed, and both the tax and the penalty may become a lien upon the property owned by the person against whom the tax is assessed. Neb. Rev. Stat. §§ 77-4301 to 77-4316 (Reissue 1996).

Property forfeiture

Property used to manufacture, sell or deliver controlled substances can be seized and forfeited to the state. Property subject to forfeiture may include cash, cars, boats and airplanes. Neb. Rev. Stat. § 28-431 (Cum. Supp. 1998).

Being under the influence of any controlled substance for unauthorized purpose

It is a violation of Nebraska law to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings. Neb. Rev. Stat. § 28-417(1) (g) (Reissue 1995).

Drug paraphernalia offenses

It is a violation of Nebraska law to use, or to possess with intent to use, drug paraphernalia to manufacture, inject, ingest, inhale or otherwise introduce into the human body a controlled substance. Neb. Rev. Stat. § 28-441(1) (Reissue 1995). Drug paraphernalia is defined to include such things as hypodermic syringes, needles, pipes and bongs and other items used, intended for use or designed for use with controlled substances. Neb. Rev. Stat. § 28-439 (Reissue 1995). It is unlawful to deliver or manufacture drug paraphernalia. Neb. Rev. Stat. § 28-442 (Reissue 1995). It is a violation of Nebraska law for a person 18 years of age or older to deliver drug paraphernalia to a person under the age of 18 who is at least three years his/her junior. Neb. Rev. Stat. § 28-443 (Reissue 1995).

A violation of Neb. Rev. Stat. § 28-441 is punishable by a fine of not more than \$100 for a first offense, not less than \$100 and not more than \$300 for a second offense; and not less than \$200 and not more than \$500 on a third or subsequent conviction. Neb. Rev. Stat. §§ 28-441 and 29-436 (Reissue 1995). The penalty for violation of Neb. Rev. Stat. § 28-442 is not more than six months imprisonment or \$1,000 fine or both. Neb. Rev. Stat. § 28-442 (Reissue 1995) and § 28-106 (1) (Cum. Supp. 1998). The penalty for violation of Neb. Rev. Stat. § 28-443 is imprisonment for not more than one year or \$1,000 fine or both. Neb. Rev. Stat. § 28-443 (Reissue 1995) and § 28-106 (1) (Cum. Supp. 1998).

Imitation controlled substances

It is a violation of Nebraska law to knowingly, intentionally manufacture, distribute, deliver or possess with intent to distribute or deliver an imitation controlled substance. Imitation controlled substance is a substance that is not a controlled substance but that is represented to be an illicit controlled substance. Neb. Rev. Stat. § 28-445 (Reissue 1995). First offense violations of this law are punishable by three months imprisonment or \$500 fine or both. A second offense violation of this statute is punishable by not more than six months imprisonment or \$1,000 fine or both. Neb. Rev. Stat. § 28-445 (Reissue 1995) and § 28-106 (1) (Cum. Supp. 1998).

Controlled substance analogue

For purposes of Nebraska's Uniform Controlled Substance Act, analogue controlled substances (often called designer drugs) are treated as controlled substances. Such an analogue is defined as (a) substantially similar in chemical structure to the chemical structure of a controlled substance or (b) having a stimulant, depressant, analgesic or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the effect of a controlled substance. Neb. Rev. Stat. § 28-401 (36) (Supp. 1999).

Selected Nebraska alcohol offenses

Minor in possession

It is against the law for a person under the age of 21 years to possess alcohol. Neb. Rev. Stat. § 53-180.02 (Reissue 1998). Violation of this law is punishable by three months imprisonment or \$500 fine or both. Neb. Rev. Stat. § 53-180.05 (1) (Reissue 1998) and § 28-106 (1) (Cum. Supp. 1998). As part of sentencing, a judge may order an offender to become part of a public work detail under the supervision of the county sheriff for not more than 10 days in lieu of the above penalties. Neb. Rev. Stat. § 53-180.05 (1) (Reissue 1998).

Procuring alcohol

It is a violation of Nebraska law to sell, give away, dispose of, exchange, deliver or permit the sale, gift or procuring of any alcoholic liquors to or for any minor or to any person who is mentally incompetent. Neb. Rev. Stat. § 53-180 (Reissue 1998). Violation of this law is punishable by not more than one year imprisonment or \$1,000 fine or both. Neb. Rev. Stat. § 53-180.05 (1) (Reissue 1998) and § 28-106 (1) (Cum. Supp. 1998).

Consumption on public property

It is a violation of Nebraska law for any person to consume alcoholic liquors in the public streets, alleys, parking areas, roads or highways; or inside vehicles while upon the public streets, alleys, parking areas, roads or highways; or upon property owned by the state or any governmental subdivision thereof, unless authorized by the governing bodies having jurisdiction over such properties. Neb. Rev. Stat. § 53-186 (Supp. 1999). A violation of this statute is punishable on the first offense by a fine of up to a maximum of \$100; a second offense within two years is punishable by a fine not less than \$100 and not more than \$300; a third offense within two years is punishable by a fine of not less than \$200 and not more than \$500. Neb. Rev. Stat. § 29-436 (Reissue 1995).

Driving while intoxicated

Listed is a link to the Nebraska Department of Motor Vehicles website that lists the penalties for driving while intoxicated.

www.transportation.nebraska.gov/nohs/pdf/al3dwi.pdf

Local laws may also make it a crime to operate a motor vehicle under the influence of alcohol or to commit certain acts involving the consumption or possession of alcohol (e.g. open container laws).

Description of health risks associated with use of illicit drugs and abuse of alcohol

The effects of drug abuse can be viewed in Appendix C. The information is taken from U.S. Department of Justice, Drug Enforcement Administration, Drug Fact Sheet. The Drug Fact Sheet lists the different types of controlled substances (legal and illegal) and the effects of those drugs on a person.

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses 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.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other children of becoming alcoholics.

Drug and alcohol counseling

Students

There are many drug and alcohol counseling, treatment and rehabilitation services located in MCC's four-county service area.

Information and referral offices

First call for help	211 or 402-444-6666
Eastern Nebraska Community Action Partnership	402-453-5656

Drug abuse and alcoholism treatment and counseling services

CHI Alegent Center (Immanuel Access)	402-717-4673
Catholic Charities	402-554-0520
Heartland Family Services	402-553-3000
Lutheran Family Services	402-342-7007
Nebraska Urban Indian Health Coalition	402-346-0902
University Drug and Alcohol Program	402-334-2583
Nebraska/Western Iowa Veterans Administration	402-346-8800
NOVA Therapeutic Community Inc.	402-455-8303 or 402-334-2583
Offutt AFB Substance Abuse Center (active military only)	402-294-3784
Salvation Army	402-342-4135 or 402-553-5694
Discovery Center	402-330-3560

Halfway house programs

Arch	402-556-6425
Santa Monica	402-558-7088

Self-help programs

Al-Anon Information Services (Mon–Sat, 10 a.m.–2 p.m.)	402-553-5033
Alcoholics Anonymous 24-hour help line	402-556-1879
Cocaine Anonymous	800-347-8998
Crystal Meth Anonymous	855-638-4373
Marijuana Anonymous	800-766-6779

Employee Assistance Program for regular faculty and staff (PM VI-19)

The services of a College-supported Employee Assistance Program are available to all regular faculty and staff and their dependent family members needing short-term counseling, assessment and/or referral. EAP counselors are available to assist these individuals in dealing with problems such as substance abuse, family distress, financial or legal concerns, nervous disorders or other personal issues.

EAP provides 24-hour access, via the toll-free number, to professional counselors each day of the year. Appointments can be scheduled during convenient day, evening or weekend hours.

402-354-8000 (confidential appointments)
800-666-8606 (24-hour toll-free number)

EAP also provides online monthly information on a variety of topics like stress during the holidays, listening skills and relationships. To access this information, visit www.bestcareeap.org.

Disciplinary sanctions

Students

Violations of the Student Code of Conduct (Procedures Memorandum V-4) may result in the imposition of sanctions up to and including expulsion from this institution and referral for prosecution by the proper authorities under local, state and/or federal law. One or more of the following sanctions may be imposed as provided in the Student Code of Conduct and Disciplinary Procedures: admonition, disciplinary probation, suspension, dismissal (expulsion) or any other action considered necessary or appropriate by College officials.

Faculty and staff

Violation of the employee standards of conduct may result in the imposition of sanctions up to and including termination of employment, possible referral to law enforcement agencies and/or completion of an appropriate drug abuse assistance program or rehabilitation program. See Procedures Memorandum VI-24 for more information.

Nondiscrimination and Equal Opportunity Statement

Metropolitan Community College does not discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, transgender status, marital status, age, disability, current or prior military service, protected veteran status or membership in any other class that is protected under local, state or federal law or regulation in admission or access to its programs and activities or in its treatment or hiring of employees. The College complies with Title VI of the Civil Rights Act of 1964, the Civil Rights Act of 1990, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975 and related Executive Orders 11246 and 11375, and all amendments to the above.

Contacts: Concerning Title VI (race), Title IX (gender equity), Section 504 (disability), Americans with Disabilities Act/Program and Services Accessibility and Age, contact:

- Vice President for Student Affairs: 531-622-2681, aarich@mccneb.edu or Dean of Student Advocacy and Accountability: 531-622-2202, jangholdt@mccneb.edu (students);
- Associate Vice President of Human Resources: 531-622-2236, mmoeglin@mccneb.edu (employees);
- Director of Facilities: 531-622-2529, bsedlacek@mccneb.edu (accessibility); or the
- United States Department of Education Assistant Secretary for Civil Rights – Office for Civil Rights (OCR): 1-800-421-3481, ocr@ed.gov.

Concerning hiring and employment-related complaints of discrimination or harassment based on race, color, national origin, religion, sex, sexual orientation, gender identity, transgender status, marital status, age, disability, current or prior military service, protected veteran status or membership in any other class that is protected under local, state or federal law or regulation, or affirmative action or diversity issues, contact:

- Associate Vice President for Equity and Diversity: 531-622-2649, cgooch@mccneb.edu

The address for all of the above individuals is as follows:

Metropolitan Community College
30th and Fort Streets
P.O. Box 3777
Omaha, NE 68103-0777

Appendix A Federal trafficking penalties

Chart 1

FEDERAL TRAFFICKING PENALTIES FOR SCHEDULES I, II, III, IV AND V (EXCEPT MARIJUANA)				
Schedule	Substance/quantity	Penalty	Substance/quantity	Penalty
II	Cocaine 500–4,999 grams mixture	<p>First offense: Not less than 5 years and not more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$5 million if an individual and \$25 million if not an individual.</p> <p>Second offense: Not less than 10 years and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual and \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p>First offense: Not less than 10 years and not more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$10 million if an individual or \$50 million if not an individual.</p> <p>Second offense: Not less than 20 years and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual or \$75 million if not an individual.</p> <p>Two or more prior offenses: Life imprisonment. Fine of not more than \$20 million if an individual or \$75 million if not an individual.</p>
II	Cocaine base 28–279 grams mixture		Cocaine base 280 grams or more mixture	
IV	Fentanyl 40–399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl analogue 10–99 grams mixture		Fentanyl analogue 100 grams or more mixture	
I	Heroin 100–999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1–9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5–49 grams pure or 50–499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10–99 grams pure or 100–999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
Substance/quantity		Penalty		
Schedule I and II substances		<p>First offense: Not more than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of \$1 million if an individual or \$10 million if not an individual.</p> <p>Second offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine of \$2 million if an individual or \$10 million if not an individual.</p>		
Any drug product containing Gamma				
Hydroxybutyric acid				
Flunitrazepam (Schedule IV) 1 gram				

Substance/quantity	Penalty
Any amount of other Schedule III drugs	First offense: Not more than 10 years. If death or serious bodily injury, not more than 15 years. Fine of not more than \$500,000 if an individual or \$2.5 million if not an individual. Second offense: Not more than 20 years. If death or serious bodily injury, not more than 30 years. Fine of not more than \$1 million if an individual or \$5 million if not an individual.
Any amount of all other Schedule IV drugs (other than 1 gram or more of Flunitrazepam)	First offense: Not more than 5 years. Fine of not more than \$250,000 if an individual or \$1 million if not an individual. Second offense: Not more than 10 years. Fine of not more than \$500,000 if an individual or \$2 million if not an individual.
Any amount of all Schedule V drugs	First offense: Not more than 1 year. Fine of not more than \$100,000 if an individual or \$250,000 if not an individual. Second offense: Not more than 4 years. Fine of not more than \$200,000 if an individual or \$500,000 if not an individual.

Chart 2

FEDERAL TRAFFICKING PENALTIES FOR MARIJUANA, HASHISH OR HASHISH OIL, SCHEDULE I SUBSTANCES	
Marijuana 1,000 kilograms or more mixture or 1,000 or more marijuana plants	First offense: Not less than 10 years or more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$10 million if an individual or \$50 million if not an individual. Second offense: Not less than 20 years or more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual or \$75 if not an individual.
Marijuana 100–999 kilograms mixture or 100–999 marijuana plants	First offense: Not less than 5 years or more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$5 million if an individual or \$25 million if not an individual. Second offense: Not less than 10 years or more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual or \$50 million if not an individual.
Marijuana 50–99 kilograms mixture or 50–99 marijuana plants	First offense: Not more than 5 years. Fine of not more than \$250,000 if an individual or \$1 million if not an individual. Second offense: Not more than 10 years. Fine of not more than \$500,000 if an individual or \$2 million if not an individual.
Hashish More than 10 kilograms	First offense: Not more than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of \$1 million if an individual or \$5 million if not an individual.
Hashish oil More than 1 kilogram	Second offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine of \$2 million if an individual or \$10 million if not an individual.
Marijuana Less than 50 kilograms mixture and 1–49 marijuana plants (but does not include 50 or more marijuana plants regardless of weight)	First offense: Not more than 5 years. Fine of not more than \$250,000 if an individual or \$1 million if not an individual. Second offense: Not more than 10 years. Fine of \$500,000 if an individual or \$2 million if not an individual.
Hashish 10 kilograms or less	
Hashish oil 1 kilogram or less	

Appendix B State of Nebraska drug penalties

The below listed penalties can be modified at any time by the Nebraska Legislature or a court case decision.

Drug/schedule	Quantity	Penalties
Cocaine	140 grams or more	Maximum – life imprisonment Minimum – 20 years imprisonment
	At least 28 grams but less than 140 grams	Maximum – 50 years imprisonment Minimum – 5 years imprisonment
	At least 10 grams but less than 28 grams	Maximum – 50 years imprisonment Minimum – 3 years imprisonment
Cocaine base	140 grams or more	Maximum – life imprisonment Minimum – 20 years imprisonment
	At least 28 grams but less than 140 grams	Maximum – 50 years imprisonment Minimum – 5 years imprisonment
	At least 10 grams but less than 28 grams	Maximum – 50 years imprisonment Minimum – 3 years imprisonment
Heroin	140 grams or more	Maximum – life imprisonment Minimum – 20 years imprisonment
	At least 28 grams but less than 140 grams	Maximum – 50 years imprisonment Minimum – 5 years imprisonment
	At least 10 grams but less than 28 grams	Maximum – 50 years imprisonment Minimum – 3 years imprisonment
Methamphetamine	140 grams or more	Maximum – life imprisonment Minimum – 20 years imprisonment
	At least 28 grams but less than 140 grams	Maximum – 50 years imprisonment Minimum – 5 years imprisonment
	At least 10 grams but less than 28 grams	Maximum – 50 years imprisonment Minimum – 3 years imprisonment
Controlled substance classified in Schedule I, II or III of Section §28-405, which is an exceptionally hazardous drug	Any amount	Maximum – 50 years imprisonment Minimum – 1 year imprisonment
Any other controlled substances classified in Schedule I, II or III of Section §28-405	Any amount	Maximum – 20 years imprisonment or \$25,000 fine or both Minimum – 1 year imprisonment
Any other controlled substances classified in Schedule IV or V of Section §28-405	Any amount	Maximum – 5 years imprisonment or \$10,000 fine or both Minimum – none
Marijuana	More than a pound	Maximum – 5 years imprisonment or \$10,000 fine or both Minimum – none
	More than an ounce but less than a pound	Maximum – 7 days imprisonment or \$500 fine or both Minimum – none
Marijuana (less than an ounce)	First offense	Fine of \$100 and may be assigned to take course outlined by §29-433
	Second offense	Fine of \$200 and imprisonment for up to 5 days
	Third offense	Fine of \$300 and imprisonment for up to 7 days

Drugs of abuse/uses and effects

Drugs	Dependence						Effects of overdose	Withdrawal symptoms			
	CSA schedules	Trade or other names	Medical uses	Physical	Psychological	Tolerance			Duration (hours)	Usual method	Possible effects
Narcotics											
Heroin	Substance I	Diamorphine, Horse, Smack, Black tar, Chiva, Negra (black tar)	None in U.S., analgesic, antitussive	High	High	Yes	3-4	Injected, snorted, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphine	Substance II	MS-Contin, Roxanol, Oramorph SR, MSIR	Analgesic	High	High	Yes	3-12	Oral, injected			
Hydrocodone	Substance II, Product III, V	Hydrocodone w/ Acetaminophen, Vicodin, Vicoprofen, Tusstonex, Lortab	Analgesic, antitussive	High	High	Yes	3-6	Oral			
Hydro-morphone	Substance II	Dilaudid	Analgesic	High	High	Yes	3-4	Oral, injected			
Oxycodone	Substance II	Roxicet, Oxycodone w/ Acetaminophen, OxyContin, Endocet, Percocet, Percodan	Analgesic	High	High	Yes	3-12	Oral			

DRUGS OF ABUSE/USES AND EFFECTS

Drugs		Dependence			Usual method	Possible effects	Effects of overdose	Withdrawal symptoms		
		Physical	Psychological	Tolerance					Duration (hours)	
Narcotics										
Codeine	Substance II, Products III, V	Acetaminophen, Guaifenesin or Promethazine w/ Codeine, Fiorinal, Fioricet or Tylenol w/ Codeine	Moderate	Moderate	Yes	3-4	Oral, injected	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Other narcotics	Substance II, III, IV	Fentanyl, Demerol, Methadone, Darvon, Stadol, Talwin, Paregoric, Buprenex	High-low	High-low	Yes	Variable	Oral, injected, snorted, smoked			
Depressants										
Gamma Hydroxybutyric Acid	Substance I, Product III	GHB, Liquid Ecstasy, Liquid X, Sodium Oxybate, Xyrem®	Moderate	Moderate	Yes	3-6	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol, impaired memory of events, interacts with alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Benzodiazepines	Substance IV	Valium, Xanax, Halcion, Ativan, Restoril, Rohypnol (Roofies, R-2), Klonopin	Moderate	Moderate	Yes	1-8	Oral, injected			

DRUGS OF ABUSE/USES AND EFFECTS											
Drugs	CSA schedules	Trade or other names	Medical uses	Physical	Dependence			Usual method	Possible effects	Effects of overdose	Withdrawal symptoms
					Psychological	Tolerance	Duration (hours)				
Depressants											
Other depressants	Substance I, II, III, IV	Ambien, Sonata, Meperbamate, Chloral Hydrate, Barbiturates, Methaqualone (Quaalude)	Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	2-6	Oral	Slurred speech, disorientation, drunken behavior without odor of alcohol, impaired memory of events, interacts with alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Stimulants											
Cocaine	Substance II	Coke, Flake, Snow, Crack, Coca, Blanca, Perico, Nieve, Soda	Local anesthetic	Possible	High	Yes	1-2	Snorted, smoked, injected	Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite	Agitation, increased body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamine/ Methamphetamine	Substance II	Crank, Ice, Cristal, Krystal Meth, Speed, Adderall, Dexedrine, Desoxyn	Attention deficit/ hyperactivity disorder, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected, smoked			
Methylphenidate	Substance II	Ritalin (lily's), Concerta, Focalin, Metadate	Attention deficit/ hyperactivity disorder	Possible	High	Yes	2-4	Oral, injected, snorted, smoked			

DRUGS OF ABUSE/USES AND EFFECTS											
Drugs	CSA schedules	Trade or other names	Medical uses	Physical	Dependence			Usual method	Possible effects	Effects of overdose	Withdrawal symptoms
					Psychological	Tolerance	Duration (hours)				
Stimulants											
Other stimulants	Substance III, IV	Adipex P, lisdexamfetamine, Preludex-2, Didrex, Provigil	Vasoconstriction	Possible	Moderate	Yes	2-4	Oral	Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite	Agitation, increased body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Hallucinogens											
MDMA and analogs	Substance I	(Ecstasy, XTC, Adam), MDA (Love Drug), MDEA (Eve), MBDB	None	None	Moderate	Yes	4-6	Oral, snorted, smoked	Heightened senses, teeth grinding and dehydration	Increased body temperature, electrolyte imbalance, cardiac arrest	Muscle aches, drowsiness, depression, acne
LSD	Substance I	Acid, Microdot, Sunshine, Boomers	None	None	Unknown	Yes	8-12	Oral	Illusions and hallucinations, altered perception of time and distance	(LSD) Longer, more intense "trip" episodes	None
Phencyclidine and analogs	Substance I, II, III	PCP, Angel Dust, Hog, Loveboat, Ketamine (Special K), PCE, PCPy, TCP	Anesthetic (Ketamine)	Possible	High	Yes	1-12	Smoked, oral, injected, snorted	Unable to direct movement, feel pain or remember	Drug seeking behavior *Not regulated	

DRUGS OF ABUSE/USES AND EFFECTS

Drugs	CSA schedules	Trade or other names	Medical uses	Physical	Dependence				Withdrawal symptoms		
					Psychological	Tolerance	Duration (hours)	Usual method		Possible effects	Effects of overdose
Hallucinogens											
Other hallucinogens	Substance I	Psilocybe mushrooms, Mescaline, Peyote Cactus, Ayahuasca, DMT, Dextromethorphan* (DXM)	None	None	None	Possible	4-8	Oral			
Cannabis											
Marijuana	Substance I	Pot, Grass, Sinsemilla, Blunts, Mota, Yerba, Grifa	None	Unknown	Moderate	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions, increased appetite, disorientation	Fatigue, paranoia, possible psychosis	Occasional reports of insomnia, hyperactivity, decreased appetite
Tetrahydrocannabinol	Substance I, Product III	THC, Marinol	Antinauseant, appetite stimulant	Yes	Moderate	Yes	2-4	Smoked, oral			
Hashish and Hashish Oil	Substance I	Hash, Hash oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral			

DRUGS OF ABUSE/USES AND EFFECTS

Drugs	CSA schedules	Trade or other names	Medical uses	Physical	Dependence		Duration (hours)	Usual method	Possible effects	Effects of overdose	Withdrawal symptoms
					Psychological	Tolerance					
Inhalants											
Amyl and Butyl Nitrite		Pearls, Poppers, Rush, Locker Room	Angina (Amyl)	Unknown	Unknown	No	1	Inhaled	Flushing, hypotension, headache	Methemoglobinemia	Agitation
Nitrous Oxide		Laughing gas, balloons, Whippets	Anesthetic	Unknown	Low	No	0.5	Inhaled	Impaired memory, slurred speech, drunken behavior, slow onset vitamin deficiency, organ damage	Vomiting, respiratory depression, loss of consciousness, possible death	Trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, convulsions
Other inhalants		Adhesives, spray paint, hair spray, dry cleaning fluid, spot remover, lighter fluid	None	Unknown	High	No	0.5–2	Inhaled			
Alcohol		Beer, wine, liquor	None	High	High	Yes	1–3	Oral			

Source: U.S. Department of Justice Drug Enforcement Administration