

December 3, 2019

Bloomfield College
Bloomfield, New Jersey
Office of Student Affairs and Human Resources

Alcohol and Other Drugs (AOD) Policies and Procedures for BC Students and Guests

Reasons for These Policy Statements

Bloomfield College is committed to:

- a) Upholding local, state, and federal laws;
- b) Requiring proper management of events where alcoholic beverages will be served;
- c) Minimizing the misuse of alcoholic beverages;
- d) Maintaining a drug-free workplace; and
- e) Providing education on the risks associated with the use and abuse of alcohol and other drugs.

By providing you with this information, Bloomfield College is complying with the Drug-Free Schools and Campuses Act (also known as EDGAR Part 86).

Minimally, Bloomfield College must distribute to all students and employees annually the following information that is listed as follows:

- 1) Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol on school property or as part of any school activity.
- 2) A description of the applicable legal sanctions under the local, State and Federal law for the unlawful possession or distribution of illicit drugs and the abuse of alcohol.
- 3) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
- 4) A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.
- 5) A clear statement that the institution will impose sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

Who Should Read These Policy Statements?

- All students of the Bloomfield College community
- Anyone planning a campus event that involves the use of alcohol
- Anyone dispensing alcohol on College-owned or managed property

Alcohol and Drug Policy Statement

ALCOHOL AND DRUG POLICY

It is not the policy of the College to encourage the consumption of alcoholic beverages, but the institution reserves the right to permit consumption of alcohol in moderation at appropriate social events provided that the sponsoring organization complies with the laws of the State of New Jersey. Therefore, all student organizations, and sororities/fraternities sponsoring events at which alcohol will be available must adhere to the policies of the Center for Student Leadership and Engagement concerning student sponsored events. Residential Education and Housing Staff, as well as all College officials, are required to and will report any student found violating the alcohol policy. Bloomfield College prohibits the possession, manufacture, use, sale and/or distribution of any illegal substance of any kind or amount by any individual.

ALCOHOL POLICY

The possession, consumption, or sale of alcoholic beverages is not permitted in any college facility or common area (streets, walkways, driveways, parking lot, etc.) unless served at an authorized student organization or college-sponsored event. The possession, consumption or sale of alcoholic beverages is not permitted in any on/off campus residence facility. All students are expected to be acquainted with and abide by both State and College regulations regarding the consumption and possession of alcohol. Students are also expected to be aware of the social, physiological, and legal consequences of excessive drinking in order to make responsible decisions about serving and consuming alcohol. The College provides on-campus counseling and off-campus referrals for students who may be involved in the misuse of alcohol or drugs and who seek assistance to alter behaviors. All students are responsible and legally liable for the conduct and behavior of their guests and for informing them of the College's Alcohol Policy and the New Jersey State Alcohol Beverage Control Regulations. The Bloomfield College Alcohol Policy is consistent with the laws of the State of New Jersey, and prohibits the consumption and serving of alcoholic beverages by and to persons under 21 years of age. Students who are 21 years of age or older are not allowed to possess, use, distribute or sell alcoholic beverages on the Bloomfield College campus with the exception of College approved student organization events with appropriate state permit and authorization. According to New Jersey law, it is illegal for anyone under the age of 21 to:

- Purchase or consume alcoholic beverages.
- Enter places licensed to sell alcoholic beverages with the intent to purchase alcoholic beverages.
- Misrepresent one's age or the age of anyone else for the purpose of purchasing alcohol or gaining entrance to a place that sells alcohol. It is illegal to supply a minor with alcohol or to allow a minor to drink in one's presence. If that minor subsequently injures himself or others because of the loss of ability due to alcohol consumption, the person supplying the alcohol can be held liable.

Students are responsible for their behavior and actions, whether they are under the influence of alcohol or not. Under no circumstances will the consumption of alcohol constitute a mitigating circumstance when it contributes to the violation of College

regulations. **Bloomfield College students are also responsible for the behavior of their guests at all times.** As Bloomfield College respects students' right to privacy, College representatives will not enter residential rooms without substantive cause, i.e., without reasonable suspicion that College policies have/are being violated (see below for examples). However, those whose behavior infringes on the rights of others have, in essence, forfeited that privacy.

Specific protocol must be adhered to for events where alcoholic beverages will be served and attended by persons under the legal drinking age. Those who are of legal drinking age who wish to sponsor campus events with alcohol must comply with the guidelines established by the Office of the Vice President for Student Affairs. If given approval to serve alcoholic beverages, those organizing the event are responsible for ensuring that only those of legal drinking age are served. Students of legal drinking age will be issued an ID bracelet for timely and required identification. Availability of alcoholic beverages shall not be the primary focus of advertising campus social events.

Ways in Which Incidents Will Be Handled Within Residence Halls:

If a Resident Director (RD), Resident Advisor (RA) or Dean observes an individual entering or leaving a room with alcohol, s/he has substantive cause to enter that room to investigate a possible alcohol violation. In the event of a noise complaint, the RA or RD will go to the room and knock on the door. If no one answers, the RA or RD may enter the room. The RA or RD will instruct the residents of the room to control the noise. S/he will not have cause to investigate possible alcohol violations unless indicators of alcohol consumption or possession is observed, such as evidence of intoxication, visual view of kegs, bottles, cans and/or odor of alcohol. All resident students and their guest(s) must remain present. The residential student of the room will be asked to gather and collect all alcohol items while the RA or RD collects the appropriate information about all parties involved. This procedure will be the same for any similar complaint.

Students and their guest(s) are in violation of the College's Alcoholic Beverage Policy under any or all of the following circumstances:

1. **Transporting of** any container of alcohol across common spaces of the College (lounges, game rooms, dining areas, hallways, courtyards, driveways, parking lots, etc.);
2. **Possession or consumption of alcohol** (empty, partially full or full bottles, cans, containers, etc.) while on College grounds/property, which includes residential rooms. Alcohol containers, including but not limited to empty or full beer cans or bottles, are not permitted as room decorations.
3. **Serving or making available alcohol** to any person(s) under the age of 21 in any on/off campus location. No person under the age of 21 is permitted to consume or be in possession of alcohol on Bloomfield College Property or at any Bloomfield College sponsored/affiliated event(s) on/off campus.
4. **Purchasing alcohol** for any person(s) under the age of 21 or by students under the age of 21 through the falsification of identification.
5. When individuals **are not drinking alcoholic beverages but are in the presence of individuals drinking or in possession of alcoholic beverages** in a resident's room or in a residential facility, common and/or surrounding areas.

6. When a student and or their guest(s) are found in an intoxicated state in a College facility or when his/her consumption of alcohol contributes to behavior that: Infringes (disrespects) the peace and privacy of others and the overall community; (vomiting, public urination, etc.); Intimidates, threatens, or injures self and others (belligerency); leads to the destruction of property; that student will be subject to a monetary fine based on the degree/assessment of damages and the cost of repair/replacement) and suspension/expulsion from the Residential Education and Housing Program.
7. **Requires hospitalization and/or police/security intervention;** that student will be subject to a monetary fine and or suspension/expulsion from the Residential Education and Housing Program. Violations of local ordinances or State laws may be grounds for disciplinary action(s), regardless of where such violation(s) occur, if they clearly violate Bloomfield College Student Code of Conduct. The preceding regulations apply to students both on and off the College campus, particularly in the Northern New Jersey vicinity.

Sanctions for Violation of Alcohol Policy

In addition to criminal sanctions and civil liability under state law (as outlined below), a student found in violation of the College's Alcohol Policy will be subjected to disciplinary action and sanctions will be imposed. Disciplinary sanctions may vary and are assigned in accordance with the type(s) of unacceptable behavior in which a student engage or participate in, as well as the student's level of responsibility for the incident. The seriousness of the incident (s) and the student's past disciplinary history will be considered in determining the appropriate sanction(s) rendered. The following consequences for violating the College's Alcohol Policy/Student Code of Conduct and failing to comply with the expectations of Bloomfield College students are outlined below:

- **First Offense:** Based on the nature of the incident/violation determined by the College, a student will receive a written **Disciplinary Warning** indicating that additional violations of the policies will result in more serious disciplinary sanctions. The student will be placed on **Conduct Probation** for 60 days. A monetary fine will also be imposed. If the student is under the age of 18, a Parental Notification will be sent to the student's documented parents/legal guardian(s). Resident students will also be required to attend one alcohol education workshop.
- **Second Offense:** Based on the nature of the incident/violation determined by the College, a second offense, or a first offense involving distribution of alcohol to a minor, will result in a monetary fine no less than \$100.00 and **Conduct Probation** for one academic semester. In addition to the monetary fine and semester **Conduct Probation**, a student may be referred to complete one Personal Counseling Assessment with the College's Personal Counseling Center, and participate in an Alcohol Awareness service project (approved by the Office of Residential Education & Housing). A resident student will also be suspended from housing for a minimum of (3) three days. If the student is under the age of 18, a Parental Notice will be sent to the student's documented parents/legal guardians.
- **Third Offenses:** Based on the nature of the incident/violation determined by the College, a third offense in any form will result in a monetary no less than \$250.00 and **Conduct Probation** for an academic calendar year. In addition to the monetary fine and academic calendar year **Conduct Probation**, a student may be referred to complete two Personal Counseling Assessment sessions with the College's Personal Counseling Center; and participate in an on/off campus Alcohol Awareness Program. A resident student will also

be suspended from housing for a minimum of (7) seven days; if the student is under the age of 18, a Parental Notice will be sent to the student's parents/legal guardians.

- **Additional Offenses:** Based on the nature of the incident/violation determined by the College, any additional offenses in any form will result in a fine no less than \$500.00 and **Conduct Probation** for a calendar year. In addition to the \$500.00 fine and **Conduct Probation** for one calendar year, resident students will be **suspended from housing** for a minimum of (30) thirty days, or **dismissed from college housing for a period of time determined by the Office of Student Affairs**. Students will be recommended to pursue personal counseling intervention with the College's Personal Counseling Center. If the student is under the age of 18, a Parental Notice will be sent to the student's parents/legal guardians.

Regardless of the number and description of student alcohol violations outlined above, the College reserves the right to suspend or dismiss a student immediately pending the investigative process and/or its outcome. Offenses involving distribution of alcohol or obtaining alcohol for a minor will automatically result in a fine no less than \$200.00; conduct probation for a minimum of one semester; and possible partial or total suspension from housing and/or the College for a minimum of 30 days.

Applicable Legal Sanctions for Alcohol Violations: Local, State, and Federal Laws

Local, state and federal laws which apply to illegal use/possession of alcohol (including vehicular violations) will be fully enforced at Bloomfield College. The College will refer offenders for prosecution to the appropriate local, state or federal government. Examples of maximum penalties for specific offenses are as follows:

- **Offense:** Driving while under the influence of alcohol or drugs (DWI).
- **Jurisdiction:** State of New Jersey.
- **Maximum Penalty:** 2nd offense-loss of license for 2 years.

DRUG POLICY

Bloomfield College prohibits the possession, manufacture, use, and/or sale/distribution of any illegal substance (of any kind in any amount) by any individual. Drug use is illegal and is a threat to the welfare of individuals and to the institution. Bloomfield College prohibits the unlawful manufacture, distribution, dispensation, possession, or use of any controlled substances or illegal drug. This includes prescription drugs that have been prescribed by a physician to another individual other than the Bloomfield College student. Any individual known to be in possession, using or distributing illegal drugs is subject to disciplinary action, arrest, and/or expulsion from the College. Bloomfield College is concerned about the possible physical, emotional, and psychological effects of drug use on the individual user and the impact such use has on members of the College Community. Students are invited to consult with the Office of Personal Counseling and Office of Health Services for a confidential discussion regarding questions or problems concerning drug use or abuse. Bloomfield College will promote and encourage programs, resources, and services that explore issues of drug use, abuse and addiction. The College Health and Personal Counseling Centers are available for students who are involved in the misuse of drugs or narcotics and wish to seek aid in altering this behavior pattern.

In accordance with federal, state, and local laws, use of illegal or controlled substances and misuse of prescription drugs are prohibited on the Bloomfield College campus. Controlled substances include, but are not limited to: illegal drugs; prescription drugs not prescribed to the user; designer drugs; and other chemicals and substances such as inhalants that alter the perceptions and motor abilities of individuals. Use of over the counter medications not in compliance with the directions accompanying the product is also prohibited. In addition, violations of local, state, or federal law on College property, or off campus when such violations have an adverse effect upon the College or upon individual members of the College community are prohibited. Students who are arrested by municipal, state, or federal agencies for a drug offense can be sanctioned under the College's Code of Conduct. Students who are convicted of a drug violation can lose their federal financial aid.

Ways in Which Incidents Will Be Handled:

If a Resident Director (RD), Resident Advisor (RA), Security officer or other employee of Bloomfield College observes individuals using illegal drugs on/off campus in any form, they are to notify campus security immediately. In the event that such observation occurs within a residence hall based on the odor of smoke which is also a campus-wide fire/safety hazard, a RA or RD will go to the room and knock on the door. If no one answers, the RA or RD may enter the room to investigate. Smoking (of any kind) in residence is a major violation of the College's no-smoking policy and any indicators of possible drug use (drugs, drug paraphilia and the odor of marijuana) is a violation of the drug policy. All residents and guests must remain present until the RA, RD, Security and/or State Police collects all appropriate information from all parties present. This procedure will be the same for any similar complaint.

Sanctions for Violation of the Drug Policy

The possession, manufacture, use, sale or distribution of a controlled substance or narcotic by a student may subject that individual to a range of disciplinary actions including immediate dismissal from the College and/or legal prosecution under federal, state or local laws.

THE FOLLOWING ARE THE CONSEQUENCES FOR DRUG POLICY VIOLATIONS INVOLVING THE POSSESSION OR USE OF ILLEGAL DRUGS, DRUG PARAPHERNALIA, OR BEING PARTY THERETO:

- **First Offense:** Based on the nature of the incident/violation determined by the College, a resident or commuter student will be subjected to a range of disciplinary actions which can include one or more of the following sanctions: monetary fine no less than \$100; full residential suspension or partial suspension (7-10 days); full restriction from participating in campus programs and activities; possible expulsion from residence and/or expulsion from the College; participation in an alcohol and drug educational program; 10 hours of community service; possible parental notification.
- **Second Offense:** Based on the nature of the incident/violation determined by the College, a resident or commuter student will be subjected to a range of disciplinary actions which can include one or more of the following sanctions: monetary fine no less than \$200; permanent expulsion from the residence halls for resident students or extended

- partial suspension for commuter students; full restriction from participation in campus programs and activities; expulsion from the College; participation in an alcohol and drug educational program; 20 hours of community service; possible parental notification.
- **Third Offense:** Expulsion from the College

THE FOLLOWING ARE THE CONSEQUENCES FOR VIOLATING THE DRUG POLICY WHICH INVOLVES THE MANUFACTURE, DISTRIBUTION, POSSESSION WITH INTENT TO SELL, SALE OF ANY ILLEGAL DRUGS, OR BEING PARTY THERETO:

- **First Offense:** Based on the nature of the incident/violation determined by the College, a student will be suspended for at least one full academic semester (fall or spring terms only); or expelled from the College.

For any questions regarding the College Drug Policy, please contact the Office of Student Affairs at 973-748-9000, ext. 1245.

Applicable Legal Sanctions: Local, State, and Federal Laws

Local, state and federal laws which apply to illegal possession, manufacture, use or distribution of drugs (prescription drugs without a prescription or over the counter drugs); involvement of illegal drug use or traffic with minors will be fully enforced at Bloomfield College. The College will refer offenders for prosecution to the appropriate municipal, state or federal agencies. Infractions to the College's drug policy may result in prosecution by such authorities. In cases involving prosecution by federal, municipal and state authorities, the College reserves the right to impose disciplinary actions whether infractions occurred on or off the College campus. Students with concerns about drugs may contact the Office of Student Affairs for counseling and referrals. Students who violate the College's drug policy will be encouraged to enroll in local area drug programs. In some cases, the requirement, recommendation and encouragement of counseling may accompany disciplinary sanctions. The College may notify a student's parent(s) following any serious violation of the College's Drug Policy, especially in cases where a student's or other individual's personal safety and wellbeing is compromised. Any student charged with a violation may petition for an appeal through the Vice President for Student Affairs/Dean of Students.

HANDLING IMPAIRED OR INTOXICATED PERSONS

It is the primary responsibility of those in the presence of a severely impaired/intoxicated person to contact appropriate College or local medical or safety personnel. These may be Resident Directors & Advisors, Director of Residential Education and Housing, Deans, Health Service/Wellness staff, local police or members of the rescue squad. Intoxication or severe impairment can be grounds for disciplinary action. Contacting the Security Office for assistance in transporting a student in need of medical attention will not, in itself, lead to disciplinary action. Disciplinary action will occur only if other circumstances indicating a violation of College policy are observed. In such cases, the fact that students initiated a call for assistance will be considered a mitigating circumstance.

The College is always concerned first and foremost with the safety of its students. When confronted with a person who has consumed excessive amounts of alcohol or drugs, it is important to obtain professional medical care immediately. Check to see if the person is breathing, feel the abdomen for movement or put your hand near the mouth and feel for air movement. If the person cannot be aroused easily, call the Security Office at 973-748-9000, ext. 1366, who will then notify the Bloomfield Police for medical transport. If the person is non-responsive call 911 immediately!

As Bloomfield College Good Samaritans, below are some important facts to remember:

In an event of an emergency, you should not leave a person alone, maintain an unobstructed airway and check on him/her often. If the person is breathing but is sleepy, turn him/her on his/her side or stomach so she/he will not choke if vomiting occurs. Do not place the person in a cold shower because it can cause the person to go into shock.

If the person becomes violent, call 911 and notify Security at ext. 1366 or 1-800-809-2222. Again, do not leave the person alone. If the person is responsive, ask how much she/he has had to drink or if she/he has used any drugs. If the person has consumed excessive amounts of alcohol or used any type of drugs, medical treatment may be needed.

Call the Bloomfield First Aid Squad at 973-680-4147 and wait until they arrive. Please do not leave the person alone. Whenever you are in doubt about how to handle an intoxicated person call Mountainside Hospital Emergency Treatment Facility for medical advice anytime at 973-429-6000 or call the Bloomfield Ambulance Squad for emergency transport or general assistance at 973-680-4147.

All calls are confidential. If all fails, call campus security or dial 911.

Distribution of AOD Policy

All current students will be sent an e-mail that provides a web link to this policy.

Effective AOD Date

This Policy is effective immediately for all students.

[Alcohol and Other Drug Awareness Programs](#)

The Division of Student Affairs typically provides Alcohol and Other Drug Prevention and Awareness Program each semester. Additionally, students can contact the following offices for help:

- **The Bloomfield College Personal Counseling Office at 973-748-9000, ext. 1403 -- <http://www.bloomfield.edu/student-life/health-wellness/emotional-health>**
- **The Bloomfield College Wellness Center -- <http://www.bloomfield.edu/student-life/health-wellness>**

National Alcohol and Substance Abuse Information Center Hotline – Open 24 hours per day, 365 days per year

1-800-784-6776

Useful Website Links:

- **Alcoholics Anonymous** -- <http://www.aa.org>
- **Al-Anon and Alateen** -- <http://www.al-anon.alateen.org/>
- **The National Alcohol and Substance Abuse Information Center** -- <http://www.addictioncareoptions.com>
- **The Governor's Council on Alcoholism and Drug Abuse (GCADA) for the State of New Jersey** -- <http://www.nj.gov/treasury/gcada>
- **The New Jersey Division of Addiction Services** -- <http://www.state.nj.us/humanservices/das/home/index.html>
- **The New Jersey Division of Alcoholic Beverage Control** -- <http://www.nj.gov/lps/abc/index.html>
- **The New Jersey Self-Help Support Group Clearing House** -- <http://www.njgroups.org/>
- **Alcohol 101 Plus: Making Responsible Decisions On Campus** -- <http://www.alcohol101plus.org/home.html>

[Health Risks Associated with Use or Abuse of Alcohol and Drugs](#)

Tobacco and Nicotine

Smokers are more likely than nonsmokers to contract heart disease. Lung, larynx, esophageal, bladder, pancreatic, and kidney cancers also strike smokers at increased rates. Thirty percent of cancer deaths are linked to smoking. Chronic obstructive lung diseases, such as emphysema and chronic bronchitis, are 10 times more likely to occur among smokers than among nonsmokers. Smoking during pregnancy also poses risks, such as spontaneous abortion, pre-term birth, and low birth weights. Fetal and infant deaths are more likely to occur when the pregnant woman is a smoker. Nicotine is both psychologically and physically addictive.

Alcohol

Low doses significantly impair the judgment and coordination needed to operate vehicles. Small amounts can also lower inhibitions. Moderate to high doses cause marked impairments in higher mental functions, and loss of memory and the ability to learn and remember information. High doses cause respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to dependence and permanent damage to vital organs such as the brain and the liver. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation.

Cannabis

(Marijuana, Hashish, Hashish Oil, Tetrahydrocannabinol)

Physical effects of cannabis include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, reduce ability to perform tasks requiring concentration and coordination, and impair driving ability. Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana, hashish, THC, etc., can also produce paranoia and psychosis. Long-term use may result in possible lung damage, reduced sperm count and sperm motility, and may affect ovulation cycles. Cannabis can also be psychologically addictive.

Inhalants

(Nitrous Oxide, Amyl Nitrite, Butyl Nitrite, Chlorohydrocarbons, Hydrocarbons)

Immediate effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage. Deeply inhaling vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing oxygen in lungs. Long-term use can cause weight loss, fatigue, electrolyte imbalance, muscle fatigue, and permanent damage to the nervous system.

Cocaine (Crack)

Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature. Occasional use can cause nasal irritation; chronic use can ulcerate the mucous membrane of the nose. Crack or freebase rock is extremely addictive. Physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. The use of cocaine can cause death by cardiac arrest or respiratory failure.

Stimulants

(Amphetamines, Methamphetamines, Crank, Ice)

Stimulants cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. Users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause rapid or irregular heartbeat, tremors, loss of coordination, and physical collapse. Amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure. In addition to physical effects, feelings of restlessness, anxiety, and moodiness can result. Use of large amounts over a long period of time can cause amphetamine psychosis that includes hallucinations, delusions, and paranoia. The use of amphetamines can cause physical and psychological dependence.

Depressants

(Barbituates, Methaqualone, Tranquilizers)

Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait, and altered perception. Large doses can cause

respiratory depression, coma, and death. Combination of depressants and alcohol can multiply effects of the drugs, thereby multiplying risks. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after birth. Birth defects and behavioral problems may also result. The use of depressants can cause both physical and psychological dependence.

Hallucinogens

(PCP, LSD, Mescaline, Peyote, Psilocybin)

Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls intellect and instinct. PCP blocks pain receptors, and users can have violent PCP episodes resulting in self-inflicted injuries. Lysergic acid diethylamide (LSD), mescaline, and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors.

Narcotics

(Heroin, Methadone, Codeine, Morphine, Meperidine, Opium)

Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users may experience constricted pupils, watery eyes and itching. Overdoses may produce respiratory depression, clammy skin, convulsions, coma and death. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms. Use of narcotics can cause physical and psychological dependence.

Designer Drugs

(Analog of Fenetyl, Analog of Meperidine, MDMA, Ecstasy Analog of PCP)

Many "designer drugs" are related to amphetamines and depressants and have mild stimulant and depressant properties. Use can produce severe neurochemical damage to the brain. Narcotic analogs can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analog of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression, and paranoia. Analog of PCP cause illusions, hallucinations, and impaired perception.

Anabolic Steroids

Steroid users subject themselves to more than 70 side effects, ranging in severity from acne to liver cancer, including psychological as well as physical reactions. The liver and cardio-vascular and reproductive systems are most seriously affected by use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Psychological effects in both sexes include very aggressive behavior, known as "roid rage", and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years.

References

- U.S. Dept. of Education (1989). What Works: Schools Without Drugs. (Rockville, MD: National Clearinghouse for Alcohol and Drug Information, 1989), pp 61-72.

- National Institute on Drug Abuse, NIDA Capsules, (Rockville, MD: Press Office of the National Institute on Drug Abuse, 1986).

[Alcohol Awareness -- Driving While Intoxicated in New Jersey](http://www.nj.gov/oag/hts/alcohol.html)

<http://www.nj.gov/oag/hts/alcohol.html>

Drunk Driving - Over the Limit. Under Arrest.

In New Jersey, a person is guilty of drunk driving if he/she operates a motor vehicle with a Blood Alcohol Concentration (BAC) of 0.08 percent or greater. BAC refers to the amount of alcohol in your blood. Although the law refers to a 0.08 percent BAC, you can be convicted of driving while under the influence of intoxicating liquor even when your BAC is below 0.08 percent. The BAC threshold determining drunk driving was changed from 0.10 percent to 0.08 percent in early 2004. Consuming even small amounts of alcohol dulls the senses, decreases reaction time, and hampers judgment, vision and alertness. If you consume any amount of alcohol and your driving is affected, you can be convicted of drunk driving.

Parents and Guardians

A parent or guardian who is convicted of driving while intoxicated and who has a minor under age 17 as a passenger in the motor vehicle is also guilty of a disorderly persons offense. In addition to the penalties otherwise prescribed by law, a person shall forfeit the right to operate a motor vehicle for a period of not more than six months and shall be ordered to perform community service for a period of not more than five days.

The Penalties Driving While Intoxicated in New Jersey

1st Offense

As per P.L. 2003, CHAPTER 314, two categories were created for first time offenders based on BAC levels. Parameters for the two categories and corresponding penalties are as follows: If the offender's BAC is 0.08 percent or higher but less than 0.10 percent, or if the offender permits another person with a BAC over 0.08 percent but less than 0.10 percent to operate a motor vehicle, the penalties are as follows:

A fine of \$250-\$400*

Imprisonment for up to 30 days*

- Ignition Interlock Device for 3-12 months*
- A minimum of six hours a day for two consecutive days in an Intoxicated Driver Resource Center
- An automobile insurance surcharge of \$1,000 a year for 3 years.

If the offender's BAC is 0.10 percent or higher, or the person operates a motor vehicle while under the influence of a narcotic, hallucinogenic or habit-producing drug, or permits another person with a BAC of 0.10 percent to operate a motor vehicle, the penalties are as follows:

Imprisonment for up to 30 days* and a fine of \$300-\$500*

If the offender's BAC is 0.15 percent or higher:

4-6 month license suspension and Ignition Interlock Device for an additional 9-15 months following license restoration

- A license suspension between 7 months and 1 year*

- A minimum of six hours a day for two consecutive days in an Intoxicated Driver Resource Center
- An automobile insurance surcharge of \$1,000 a year for 3 years

2nd Offense

- A fine of \$500-\$1,000* and 30 days of Community Service
- Imprisonment of at least 48 consecutive hours, and up to 90 days*
- 2-year license suspension*
- Ignition Interlock Device for 2-4 years
- 12-48 consecutive hours detainment in a regional Intoxicated Driver Resource Center, at a charge of \$100 a day
- An automobile insurance surcharge of \$1,000 a year for 3 years.

3rd Offense

- A fine of \$1,000* and maximum of 90 days Community Service
- Imprisonment of 180 days*
- 12-48 hours detainment in an in-patient alcoholism treatment program
- A fee to be paid to the Intoxicated Driver Resource Center dependent upon court sentence and Ignition Interlock Device
- An automobile insurance surcharge of \$1500 a year for 3 years
** If occurring within a school zone or school crossing, this penalty is increased under Public Law 99, Chapter 185.*

Any Offense Also Carries

- \$100 surcharge to be deposited in a drunk driving enforcement fund
- A Motor Vehicle Commission restoration fee of \$50 and an Intoxicated Driving Program fee of \$100
- A Violent Crimes Compensation Fund fee of \$50
- A Safe and Secure Community Program fee of \$75

Registration Revocation/Ignition Interlock

In addition to the penalties listed, judges may order the installation of an ignition interlock device or the revocation of vehicle registration (Public Law 2000, Chapter 83). The ignition interlock device, which measures the driver's blood alcohol level, may be required for up to four years following license restoration after a DWI conviction.

Consequences of Underage Drinking and Driving

In New Jersey, you must be 21 to purchase, possess or consume alcoholic beverages. Underage drinking is illegal and can have severe consequences for young people who drink and for adults who provide alcoholic beverages to those under 21.

If you are under 21 and you buy or drink alcohol in a place with an alcohol beverage license, you may be fined \$500 and lose your license for 6 months. If you do not have your driver's license, the suspension starts when you are first eligible to receive a license. Also you may be required to participate in an alcohol education or treatment program.

If you are under 21 and drive with any detectable amount of alcohol in your system (.01 BAC or above), you will be subjected to the following penalties:

- Loss or postponement of driving privileges for 30 to 90 days
- 15 to 30 days of community service
- Participation in a program of alcohol education and highway safety

Driving with a Suspended License due to Driving While Intoxicated

- A fine of \$500
- 10 to 90 days imprisonment
- 1 to 2 years added license suspension
- If you have a crash & someone is hurt while your license is suspended, you face a 45-180 day jail sentence
- Revocation of motor vehicle registration

Refusal to Submit to Breath Test

1st offense -- \$300-\$500 fine and a 7 to 12-month license suspension*

2nd offense -- \$500-\$1000 fine and a 2-year license suspension*

3rd offense -- \$1000 fine and a 10-year license suspension*

➤ Automobile insurance surcharge of \$1,000 a year for 3 years for 1st and 2nd offenses, \$1,500 for 3rd offense

➤ \$100 surcharge to be deposited in a drunk driving enforcement fund

** If occurring within a school zone or school crossing, this penalty is increased under Public Law 99, Chapter 185.*

Possessing an Open Container in the Passenger Compartment

1st offense - \$200

2nd offense - \$250 fine or 10 days of community service

NJ Marijuana Laws and Penalties

OFFENSE	PENALTY	INCARCERATION	MAX. FINE
Possession			
50 g or less	Disorderly Person	6 months	\$ 1,000
More than 50 g	Crime	1.5 years	\$ 25,000
Within 1000 feet of a school adds 100 hours of community service, as well as an additional fine.			
Distribution			
Less than 1 oz	Crime	1.5 years	\$ 25,000
1 oz - less than 5 lbs	Crime	3* - 5 years	\$ 25,000
5 - less than 25 lbs	Crime	5* - 10 years	\$ 150,000
25 lbs or more	Crime	10* - 20 years	\$ 300,000
Within 1000 feet of a school or school bus	Crime	3* - 5 years	\$ 150,000
Includes possession with the intent to distribute			
To minors or pregnant women carries a double term of imprisonment and fine.			

* Mandatory minimum sentence			
Cultivation			
1 oz - less than 5 lbs (less than 10 plants)	Crime	3* - 5 years	\$ 25,000
5 - less than 25 lbs (10 - less than 50 plants)	Crime	5* - 10 years	\$ 150,000
More than 25 lbs (50 plants or more)	Crime	10* - 20 years	\$ 300,000
* Mandatory minimum sentence			
Hash & Concentrates			
Possession of 5 g or less	Disorderly Person	6 months	\$ 1,000
Possession of more than 5 g	Crime	6 months	\$ 25,000
Manufacturing, distributing, dispensing, or possessing with intent of less than 5 g	Crime	18 months	\$ 10,000
Manufacturing, distributing, dispensing, or possessing with intent of 5 g - less than 1 lb	Crime	3* - 5 years	\$ 25,000
Manufacturing, distributing, dispensing, or possessing with intent of 1 lb - less than 5 lbs	Crime	5* - 10 years	\$ 150,000
Manufacturing, distributing, dispensing, or possessing with intent of 5 lbs or more	Crime	10* - 20 years	\$ 300,000
Within 1000 feet of a school or school bus	Crime	3* - 5 years	\$ 150,000
* Mandatory minimum sentence			
Paraphernalia			
Possession or use of paraphernalia	Disorderly Person	6 months	\$ 1,000
Sale of paraphernalia	Crime	18 months	\$ 10,000
Miscellaneous			
Failure to turn over marijuana to a police officer is a misdemeanor. Being under the influence of marijuana is a misdemeanor. Potential punishment is listed below in Penalty Details.			
If under 17 year, driving privileges shall be suspended for 6 months - 2 years			

Penalty Details

See

- 24:21-1, et seq. of the New Jersey Criminal Code [Web Search](#)

Possession

Possession of 50 grams or less is a "Disorderly Person" offense punishable by a maximum sentence of 6 months imprisonment and a maximum fine of \$1,000.

Possession of more than 50 grams is a crime in the 4th degree punishable by a maximum sentence of 18 months imprisonment and a maximum fine of \$25,000.

Possession within 1,000 feet of a school adds a sentence of 100 hours of community service to the sentence, as well a variable (depending on quantity) additional fine.

See

- Section 2C:21-7.4 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:35-10 of the New Jersey Statutes Annotated [Web Search](#)

Distribution or Possession with the Intent to Distribute

Sale or distribution of less than 1 ounce is a crime in the 4th degree punishable by a maximum sentence of 18 months imprisonment and a maximum fine of \$25,000.

Sale or distribution of 1 ounce- less than 5 pounds is a crime in the 3rd degree punishable by a sentence of 3-5 years imprisonment and a maximum fine of \$25,000.

Sale or distribution of 5 pounds - less than 25 pounds is a crime in the 2nd degree punishable by a sentence of 5-10 years imprisonment and a maximum fine of \$150,000.

Sale or distribution of 25 pounds or more is a crime in the 1st degree punishable by a sentence of 10-20 years imprisonment and a maximum fine of \$300,000.*

* A mandatory minimum sentence (with limited exceptions) shall be imposed.

Sale within 1,000 feet of school property or a school bus is a crime in the 3rd degree punishable by a sentence of 3-5 years imprisonment and a maximum fine of \$150,000.

If the violation involves less than 1 ounce, a mandatory minimum sentence of either 1/2 or 1/3 of the sentence shall be imposed.

Sale or distribution of less than 1 ounce within 500 feet of certain public property is a crime in the 3rd degree punishable by 3-5 years imprisonment and a maximum fine of \$25,000.

Sale or distribution of more than 1 ounce within 500 feet of certain public property is a felony punishable by 5-10 years imprisonment and a maximum fine of \$150,000.

Sale to minors or pregnant women is a felony which carries with a doubling of the term of imprisonment and the fine.

See

- Section 2C:35-5 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:35-7 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-3 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-6 of the New Jersey Statutes Annotated [Web Search](#)

Cultivation

Cultivation of 1 ounce - less than 5 pounds (less than 10 plants) is a crime in the 3rd degree punishable by a sentence of 3-5 years imprisonment and a maximum fine of \$25,000.

Cultivation of 5 pounds - less than 25 pounds (10 - less than 50 plants) is a crime in the 2nd degree punishable by a sentence of 5-10 years imprisonment and a maximum fine of \$150,000.

Cultivation of 25 pounds or more (50 or more plants) is a crime in the 1st degree punishable by a sentence of 10-20 years imprisonment and a maximum fine of \$300,000.*

* A mandatory minimum sentence shall be imposed.

See

- Section 2C:35-5 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-6 of the New Jersey Statutes Annotated [Web Search](#)

Hash & Concentrates

New Jersey defines hashish as "the resin extracted from any part of the plant Genus Cannabis L. and any compound, manufacture, salt, derivative, mixture, or preparation of such resin." Hashish is a Schedule I controlled substance.

See

- Section 24:21-2 of the New Jersey Statutes Annotated [Web Search](#)
- Section 24:21-5(e) of the New Jersey Statutes Annotated [Web Search](#)

Possessing less than 5 grams of hashish is a disorderly person offense punishable by a fine no greater than \$1,000 and/or a term of imprisonment no greater than 6 months. Possessing 5 grams or more of hashish is a crime in the 4th degree punishable by a fine no greater than \$25,000 and/or a term of imprisonment no greater than 18 months.

See

- Section 2C:35-10 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-3 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-6 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-8 of the New Jersey Statutes Annotated [Web Search](#)

Manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, or dispense less than 5 grams of hashish is a crime in the 4th degree punishable by a fine no greater than \$25,000 and/or a term of imprisonment no greater than 18 months. If the amount of hashish is 5 grams or more but less than 1 pound, the offense is a crime in the 3rd degree punishable by a fine no greater than \$25,000 and/or a term of imprisonment no less than 3 years and no greater than 5 years. If the amount of hashish involved was 1 pound or greater but less than 5 pounds, the offense is a crime in the second degree punishable by a fine no greater than \$150,000 and/or a term of imprisonment no less than 5 years and no greater than 10 years. If the amount of hashish involved was 5 pounds or greater, the offense is a crime in

the first degree punishable by a fine no greater than \$200,000 and/or a term of imprisonment no less than 10 years and no greater than 20 years.

See

- Section 2C:35-5 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-3 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-6 of the New Jersey Statutes Annotated [Web Search](#)

Manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, or dispense hashish within 1,000 feet of a school or school bus stop is a crime in the 3rd degree punishable by a fine no greater than \$150,000 and/or a term of imprisonment no less than a mandatory 3 years and no greater than 5 years.

See

- Section 2C:35-7 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-3 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-6 of the New Jersey Statutes Annotated [Web Search](#)

Paraphernalia

Possession or use of paraphernalia is a "Disorderly Persons Offense" punishable by a maximum sentence of 6 months imprisonment and a maximum fine of \$1,000.

Sale of paraphernalia is a crime in the 4th degree punishable by a maximum sentence 18 months imprisonment and a maximum fine of \$10,000.

Sale of paraphernalia to minors is a crime in the 3rd degree punishable by a sentence of 3-5 years imprisonment and a maximum sentence of \$25,000.

Advertising the sale of any such device or equipment is a crime in the 4th degree punishable by a fine no greater than \$10,000 and/or a term of imprisonment no greater than 18 months.

See

- Section 2C:36-2 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:36-4 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:36-5 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-3 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-6 of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:43-8 of the New Jersey Statutes Annotated [Web Search](#)

Miscellaneous

In NJ, failure to turn over marijuana or hashish to a nearby police officer is a misdemeanor. In addition, being under the influence of marijuana or hashish (whether you are driving a car or not), is also a misdemeanor. These offenses can be punished by:

- Up to six months imprisonment (N.J.S.A. 2C:43-8)
- A fine of up to \$1000 (N.J.S.A. 2C:43-3(c))
- Loss of Public Housing (N.J.S.A. 2A:18-61.1)
- Potential Eviction from leased residential premises (N.J.S.A. 2A:18-61.1)
- Loss of driving privileges for not less than six months and up to two years. (2C:35-16)
- Mandatory loss of driving privileges for two years if the marijuana is in a motor vehicle. (N.J.S.A. 39:4-49.1)
- A term of community service (N.J.S.A. 2C:43-2b(5))
- A mandatory \$75 Safe Neighborhoods Services assessment (N.J.S.A. 2C:43-3.2)
- A mandatory \$50 lab fee (2C:35-20)
- A mandatory \$50 Victims of Crime Compensation Board penalty (2C:43-3.1a(2)(a))
- A mandatory \$500 Drug Enforcement Demand Reduction penalty (N.J.S.A. 2C:35-15(e))
- A period of probation of up to five years (N.J.S.A. 2C:43-2b(2); *State v. Dove*, 202 N.J.Super. 540, (Law Div. Jan 29, 1985)

See

- Section 2C:35-10(c) of the New Jersey Statutes Annotated [Web Search](#)
- Section 2C:35-10(b) of the New Jersey Statutes Annotated [Web Search](#)

Driver's license suspension

Shall suspend, revoke or postpone the driving privileges for a period not less than six months or more than two years of every person convicted of or adjudicated delinquent for not less than 6 months and no more than two years. If less than 17 years old, the suspension shall not run less than six months or more than two years after they turn 17.

See

- 17. 39:5-30.13 of the New Jersey Statutes Annotated [Web Search](#)

Conditional Release

The state allows conditional release or alternative or diversion sentencing for people facing their first prosecutions. Usually, conditional release lets a person opt for probation rather than trial. After successfully completing probation, the individual's criminal record does not reflect the charge.

Drugged Driving

Every [state](#) criminalizes driving under the influence of a controlled substance. Some jurisdictions also impose additional per se laws. In their strictest form, these laws forbid drivers from operating a motor vehicle if they have a detectable level of an illicit drug or drug metabolite (i.e., compounds produced from chemical changes of a drug in the body, but not necessarily psychoactive themselves) present in their bodily fluids above a specific, state-imposed threshold. Read further information about cannabinoids and their impact on

[psychomotor performance](#). Additional information regarding cannabinoids and [proposed per se limits](#) is available online.

Mandatory Minimum Sentence

When someone is convicted of an offense punishable by a mandatory minimum sentence, the judge must sentence the defendant to the mandatory minimum sentence or to a higher sentence. The judge has no power to sentence the defendant to less time than the mandatory minimum. A prisoner serving an MMS for a federal offense and for most state offenses will not be eligible for parole. Even peaceful marijuana smokers sentenced to "life MMS" must serve a life sentence with no chance of parole.

Medical Marijuana

This state has [medical marijuana](#) laws enacted. Modern research suggests that cannabis is a valuable aid in the treatment of a wide range of clinical applications. These include pain relief, nausea, spasticity, glaucoma, and movement disorders. Marijuana is also a powerful appetite stimulant and emerging research suggests that marijuana's medicinal properties may protect the body against some types of malignant tumors, and are neuroprotective. For more information see: [Medical Use](#).