

**TUNXIS COMMUNITY COLLEGE  
DRUG FREE SCHOOLS AND CAMPUSES ACT  
2009 ANNUAL NOTICE**

Tunxis Community College is committed to ensuring the personal health and safety of all members of the College community. The College recognizes that there exists in today's society a significant problem regarding alcohol and other drug use and abuse that adversely affects individuals, families, the workplace and institutions of higher education. As a result, the College has adopted the following policy to prevent the unlawful use, possession or distribution of illicit drugs and alcohol on campus or as part of any of its activities. Any College employee or student who is determined to have violated this Policy shall be subject to disciplinary action for misconduct, including termination or suspension from the College and possible referral for criminal prosecution. These policies apply to all on-campus activities and to off-campus activities that are considered to be College sponsored, including but not limited to officially sanctioned field trips and student activity programs. The standards of conduct have been interpreted to apply to student sponsored social activities or professional meetings attended by employees, if these activities or meetings are considered College sponsored activities.

**I. Standards of Conduct**

***A. Employees:***

Employees of Tunxis Community College are the College's most valuable resource. The College is committed to ensuring the personal health and safety of all members of the College community. To that end, the College will provide a drug free environment for students and employees in accordance with the Federal Drug-Free Workplace Act of 1989.

The State's Drug and Alcohol Free Workplace Policy is contained in Appendix 1.

***B. Students:***

The mission of Tunxis Community College is to assist in the total development of each student. As part of our effort to maintain an atmosphere conducive to effective learning and a wholesome social environment, the College has established policies regarding alcohol and drug use.

The policies are published in order that all members of the College community will be aware of their existence and will be responsible for their observance. Beyond complying with state laws, the College has a commitment to the education, development and maturation of the whole person - spirit, mind and body. Recently, nationwide attention has focused on the dangers of high-risk drinking have led us to become increasingly aware of the relationship between substance abuse and students'

inability to achieve success in college. Therefore, it is our responsibility, both legally and ethically, to promote a caring environment that protects all students' personal growth and total welfare. It is intended that these policies will foster such concern. The campus body charged with the review of alcohol and other drug policies is the Student Affairs Committee. Constituted in the Professional Staff Organization (PSO), this group is made up of representatives from student, faculty, staff and administrative bodies who make recommendations to the Dean of Student Affairs.

Tunxis Community College's Alcohol Policy for students is contained in Appendix 2.

## **II. College Disciplinary Sanctions**

All members of the College community are subject to state and federal laws concerning the illegal use, possession or distribution of drugs and alcohol. The College will also impose sanctions pursuant to the Drug-Free Workplace Policy for employees and the Board of Trustees' Policy on Student Conduct for students.

College disciplinary sanctions pertaining to employees are contained in Appendix 3, and the sanctions imposed by the College for student conduct violations are contained in Appendix 4.

## **III. Legal Sanctions**

In addition to College disciplinary sanctions, all members of the College community are required to abide by all local, state and federal laws pertaining to drugs and alcohol. Individuals who violate these laws will be prosecuted to the fullest extent.

Statutes pertaining to drugs and alcohol are found in Appendix 5.

### **Alcohol on Campus**

The Board of Trustees Drug and Alcohol Policy for Community Colleges allows the college President to authorize the consumption of alcoholic beverages on campus subject to the following conditions, as appropriate:

- a) when a temporary permit for the sale of alcoholic beverages has been obtained and dram shop act insurance has been purchased;
- b) when a college permit has been obtained;
- c) when students bring their own beverages;
- d) when alcoholic beverages are provided by a student organization and no fee is charged for attendance or for said beverages.

This request must be submitted to the Dean of Administration at least four (4) weeks in advance of the function.

#### **IV. Description of Health Risks Associated with the Use of Illicit Drugs and Abuse of Alcohol**

The fast paced, high stress environment of the 1990's, and the drug oriented nature of our society puts all of us at risk for abusing alcohol and other drugs. Alcohol, while commercially exploited and condoned by society, is misused by many teens, college students, and adults. The most commonly abused drug in the United States, alcohol affects the home life of millions of children each year, and each year it causes more than 100,000 deaths nationwide - that's more deaths by alcohol than all illegal drugs combined.

While almost everyone will use some drug during their life, and drugs have greatly reduced human suffering and have improved the quality of our lives, the misuse of alcohol and other drugs can negatively affect our job performance, academic performance, personal safety, relationships with others, and emotional and physical well-being. Examples of the consequences of high-risk alcohol and other drug choices include:

- More than 100,000 U.S deaths are caused by excessive alcohol consumption each year. Direct and indirect causes of death include drunk driving, cirrhosis of the liver, falls, cancer and stroke.<sup>1</sup>
- At least once a year, the guidelines for low risk drinking are exceeded by an estimated 74% of male drinkers and 72% of female drinkers aged 21 and older.<sup>2</sup>
- 65% of youth surveyed said that they got the alcohol they drink from family and friends.<sup>3</sup>
- Nearly 14 million Americans meet diagnostic criteria for alcohol use disorders.<sup>4</sup>
- Youth who drink alcohol are 50 times more likely to use cocaine than those who never drink alcohol.<sup>5</sup>
- Among current adult drinkers, more than half say they have a blood relative who is or was an alcoholic or problem drinker.<sup>6</sup>
- Across people of all ages, males are four times as likely as females to be heavy drinkers.<sup>7</sup>
- More than 18% of Americans experience alcohol abuse or alcohol dependence at some time in their lives.<sup>8</sup>
- Traffic crashes are the greatest single cause of death for persons aged 6-33. About 45% of these fatalities are in alcohol-related crashes.<sup>9</sup>
- Underage drinking costs the United States more than \$58 billion every year – enough to buy every public school student a state-of-the-art computer.<sup>10</sup>

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<sup>1</sup> [www.gdcada.org](http://www.gdcada.org) Substance Abuse: The Nation's Number One Health Problem, Feb. 2001

<sup>2</sup> Mothers Against Drunk Driving

<sup>3</sup> The Century Council

<sup>4</sup> Alcohol Health & Research World

<sup>5</sup> National Center on Addiction and Substance Abuse

<sup>6</sup> Substance Abuse: The Nation's Number One Health Problem, Feb. 2001

<sup>7</sup> Substance Abuse: The Nation's Number One Health Problem, Feb. 2001

<sup>8</sup> National Institute on Alcohol Abuse and Alcoholism Analysis

<sup>9</sup> National Highway Safety Administration

- Alcohol is the most commonly used drug among young people.<sup>11</sup>
- Problem drinkers average four times as many days in the hospital as nondrinkers – mostly because of drinking-related injuries.<sup>12</sup>
- Alcohol kills 6 ½ times more youth than all other illicit drugs combined.<sup>13</sup>
- Concerning the past 30 days, 50% of high school seniors report drinking, with 32% report being drunk at least once.<sup>14</sup>

### **A. Physical Well-Being**

Alcohol and drug abuse have profound effects on the body. Prolonged and frequent alcohol and other drug use can lead to a general deterioration of health, and may impair the immune system which in turn increases the likelihood of contracting AIDS. The following are some of the possible serious medical consequences of alcohol and other drug usage:

- Heart failure
- Liver disease, i.e. hepatitis, cirrhosis
- Gastrointestinal disorders
- Respiratory problems, e.g. chronic bronchitis, pneumonia
- Malnutrition
- High blood pressure
- Depression
- Suicide
- AIDS, and other sexually transmitted diseases, e.g. genital warts, herpes

### **B. Sexuality**

Because judgment, reasoning, communication and perception are all affected by alcohol and other drugs, one's substance choices may lead to such things as sexual exploitation, unwise choice of partners, unwanted pregnancies, and the increased risk of sexually transmitted diseases, including AIDS. The sharing of needles, which is common among illicit drug users and also individuals who inject steroids as part of a training regimen, increase the risk of becoming infected with the HIV virus.

### **C. Drinking and Driving**

In Connecticut, operating a motor vehicle while under the influence of alcohol and/or drugs is a criminal offense. This offense may be prosecuted with or without any direct evidence of a person's BAC. The determining factor is whether a person's ability to drive has been impaired. According to the Department of Motor Vehicles, a person arrested for DUI will be subject to the following sanctions:

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<sup>10</sup> Mothers Against Drunk Driving

<sup>11</sup> Substance Abuse: The Nation's Number One Health Problem, Feb. 2001

<sup>12</sup> Substance Abuse: The Nation's Number One Health Problem, Feb. 2001

<sup>13</sup> Mothers Against Drunk Driving

<sup>14</sup> Mothers Against Drunk Driving

### **Administrative License Sanctions**

The driver's license sanctions (license suspension periods) outlined below have been revised recently and will be imposed in addition to criminal penalties. In most cases, they will be imposed in addition to criminal penalties and will appear on your driving record.

#### **Drivers 16 and 17-Years Old**

<b>Blood Alcohol Level</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Refusal to submit to a blood, breath or urine test	18 months	3 years	6 years
Test results of .02 or higher; up to, but not including .16	1 year	2 years	4 years
Test results of .16 or higher	1 year	30 months	5 years

#### **Drivers Between the Ages 18 to 20**

<b>Blood Alcohol Level</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Refusal to submit to a blood, breath or urine test	1 year	2 years	6 years
Test results of .02 or higher; up to, but not including .16	6 months	18 months	4 years
Test results of .16 or higher	240 days	20 months	5 years

#### **Drivers 21 Years Old and Older**

<b>Blood Alcohol Level</b>	<b>First Offense</b>	<b>Second Offense</b>	<b>Third Offense</b>
Refusal to submit to a blood, breath or urine test	6 months	1 year	3 years
Test results of .02 or higher; up to, but not including .16	90 days	9 months	2 years
Test results of .16 or higher	120 days	10 months	2 ½ years

If you have been arrested for operating under the influence of alcohol and/or drugs, and either failed a chemical alcohol analysis of your blood, breath, or urine or refused to submit to such analysis, your operator's license or privilege is suspended effective 12:01a.m. on the thirty-first day following the date of the arrest. A Notice of Suspension will be mailed to your address of record allowing seven days to request a hearing.

### **Criminal Penalties**

Under Connecticut's criminal law, a driver arrested for DUI will receive both a summons and a court date. If the court proceedings result in a conviction, the following penalties must be imposed:

## Criminal Sanctions

	First Offense	Second Offense	Third Offense
	Fine: \$500-\$1,000	Fine: \$1,000-\$4,000	Fine: \$2,000-\$8,000
Imprisonment	Six Months – 48 hours minimum mandatory OR Suspended sentence with 100 hours of community service	Two years – 120 days minimum mandatory AND 100 hours of community service	Three years – one year minimum mandatory AND 100 hours of community service
License Action	One-year suspension	<p>If the arrest was in CT, for suspensions effective on or after 11/09/05, the suspension is on year followed by 24 months with an approved ignition interlock device.*</p> <p>Suspension duration imposed for arrests that did not occur in CT is 3 years.</p> <p>If the operator is under 21 years of age, the suspension is 3 years or until 21 years of age (whichever is longer).</p>	Permanent Revocation  (Effective Oct. 1, the person may request a hearing after at least 6 years after date of revocation).

*\*The Department of Motor Vehicles has introduced an Ignition Interlock Device Program. This program provides certain drivers, who have been convicted of a second Driving Under the Influence of Alcohol or Drugs (DUI), a conviction of Vehicular Manslaughter, or a conviction of Vehicular Assault, the ability to drive only with an Ignition Interlock Device (IID) installed for a period of twenty-four months following license restoration.*

There were 398 people incarcerated in DOC facilities on October 21, 2008 with driving under the influence (CGS § 14-227a) as their most serious offense.<sup>15</sup>

<sup>15</sup> CT General Assembly Office of Legislative Research, Report #2002-R-0697

## D. College Campuses

The consequences of excessive and underage drinking affect virtually all college campuses, college communities, and college students, whether they choose to drink or not. The following statistics are from [www.collegedrinkingprevention.gov](http://www.collegedrinkingprevention.gov):

- **Death:** 1,700 college students between the ages of 18 and 24 die each year from alcohol-related unintentional injuries, including motor vehicle crashes ([Hingston et al. 2005](#));
- **Injury:** 599,000 students between the ages of 18 and 24 are unintentionally injured under the influence of alcohol ([Hingston et al. 2005](#));
- **Assault:** More than 696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking alcohol ([Hingston et al. 2005](#));
- **Sexual Abuse:** More than 97,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault or date rape alcohol ([Hingston et al. 2005](#));
- **Unsafe Sex:** 400,00 students between the ages of 18 and 24 had unprotected sex and more than 100,000 students between the ages of 18 and 24 report having been too intoxicated to know if they consented to having sex alcohol ([Hingston et al. 2005](#));
- **Academic Problems:** About 25 percent of college students report academic consequences of their drinking including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall ([Engs et al., 1996](#); [Presley et al., 1996a, 1996b](#); [Wechsler et al., 2002](#));
- **Health Problems/Suicide Attempts:** More than 150,000 students develop an alcohol-related health problem alcohol ([Hingston et al. 2002](#)) and between 1.2 and 1.5 percent of students indicate that they tried to commit suicide within the past year due to drinking or drug use ([Presley et al., 1998](#));
- **Drunk Driving:** 2.1 million students between the ages of 18 and 24 drove under the influence of alcohol last year alcohol ([Hingston et al. 2002](#));
- **Vandalism:** About 11 percent of college student drinkers report that they have damaged property while under the influence of alcohol ([Wechsler et al. 2002](#));
- **Property Damage:** More than 25 percent of administrators from schools with relatively low drinking levels and over 50 percent from schools with high drinking levels say their campuses have a “moderate” or “major” problem with alcohol-related property damage ([Wechsler et al., 1995](#));
- **Police Involvement:** About 5 percent of 4-year college students are involved with the police or campus security as a result of their drinking ([Wechsler et al., 2002](#)) and an estimated 110,000 students between the ages of 18 and 24 are arrested for an alcohol-related violation such as public drunkenness or driving under the influence ([Hingston et al., 2002](#));
- **Alcohol Abuse and Dependence:** 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, et al., 2002](#))

**Alcohol** - profound acute impact on cognitive functioning, i.e., loss of inhibitions, disruption of memory functions. Profound chronic impact on cognitive functioning, e.g., permanent memory impairment, dementia. Impaired coordination. Increased risk of cancer, stroke, heart disease, heart conduction disturbance, stomach lesions, intestinal track injury and liver damage. Sexual functioning disturbances. Increased risk of accidents, including drowning, fires and falls. Increase risk violence.

**Amphetamines** (Speed, Ups, Pep Pills, Meth) - Elevated heart rate, blood pressure and respiration rate. Decreased appetite. Pupillary dilation. Effects at high doses include; cognitive confusion, physical disorganization, inability to relax and sleep, teeth-grinding, dry mouth, muscle twitching, convulsions, fever, chest pain, irregular heart beat and lethal overdose.

**Barbiturate, Sedatives, Tranquilizers** (Yellow Jackets, Reds, Red Devils, Ludes, PCP or Angel Dust) - Difficulty concentrating, maintaining coordination and staying awake. Reduces cognitive and motor functioning. Increases accident risks. Effects at high doses include: slurred speech, staggering, decreased ability to reason and solve problems, difficulty in judging distance and time, double vision, amnesia, depresses breathing coma, brain damage and respiratory failure, especially when mixed with alcohol.

**Cocaine** (Coke, Crack, Blow) - Increase heart rate, blood pressure, breathing rate, and body temperature. Constriction of blood vessels. Pupillary dilation. Effects at high doses include: cognitive confusion and physical disorganization, perspiration, chills, elevated heart rate, nausea, vomiting, hallucinations and possible death from convulsions and respiratory arrest.

**Hallucinogens** (LSD or Acid, Mesc, DMT, DET) - Alterations of sensory, emotional and cognitive functioning. Elevated heart rate, Blood pressure, and body temperature. Pupillary dilation, nausea, muscle weakness, dizziness, tremors and exaggeration of normal reflexes. Risk of accidents, disorientation, wide mood swings, flashbacks. Possible psychosis.

**Heroin** (H, Horse, Smack) – Reduces cognitive and physical prowess. Blocks hunger. Dull aggression. Blocks menstrual cycle. Reduces sex drive. Constricts pupils. Induces drowsiness and sedation. Causes constipation, itchy skin. Increases accident risk. High risk of respiratory collapse with overdose.

**Inhalants** (Poppers, Snappers, Rush, Glue) – Initial excitement, sedation and confusion. Prolonged or regular use could cause bone marrow depression, cerebral damage, liver and kidney disorders, irregular heartbeat and blood pressure, and respiratory disorders.

**Marijuana** – Risks of short term memory problems, lung damage, major slowdown in cognitive functioning, loss of alertness and productiveness. Possible psychosis with chronic use.

## **V. Alcohol/Substance Abuse Treatment Options**

The College provides prevention and intervention training programs for students and employees, through the use of workshops, symposiums, written materials and flyers

### **A. On Campus Resources**

Resources available for students:

- Personal and social counseling available in the Academic Advising Center located in the 100 building. 860-255-3540
- Faculty member Harriet Cianci-Emerson, Program Coordinator for Drug and Alcohol Recovery Counselor Program, 860-255-3635

Resources available for employees:

- Employee Assistance Program  
1-800-526-3485  
[www.solutions-eap.com](http://www.solutions-eap.com)

### **B. Off Campus Resources Available to Students and Employees**

Bristol Hospital  
Brewster Road  
Bristol, CT 06011  
860-585-3000  
[www.bristolhospital.org](http://www.bristolhospital.org)

University of Connecticut Health Center  
263 Farmington Avenue  
Farmington, CT 06030  
860-679-2000  
[www.uchc.edu](http://www.uchc.edu)

Wheeler Clinic, Inc.  
91 Northwest Drive  
Plainville, CT 06062  
888-793-3500  
[www.wheelerclinic.org](http://www.wheelerclinic.org)

## **Appendix 1. The State of Connecticut's Drug and Alcohol Free Workplace Policy.**

The State of Connecticut is committed to winning the battle against substance abuse. Substance abuse jeopardizes a stable family structure, exacerbates crime, threatens worker productivity and presents a continuing and growing drain of government funds. For our youth, substance abuse is an especially harmful threat. Drugs destroy their hopes and dreams and, all too often, their very lives.

The workplace is not immune to the influence of substance abuse. Worker safety, health and efficiency are adversely affected. Therefore, in harmony with Connecticut's existing three-pronged strategy of education, treatment and enforcement to combat substance abuse, and in accordance with new federal legislation, the Drug-Free Workplace Policy has been adopted. Connecticut State employees will be protected and served by this new initiative, which includes an on-going substance abuse awareness program.

Effective March 18, 1989, the federal government enacted the "Drug-Free Workplace" Act. This act requires that any State agency which receives federal funding must certify that it will maintain a drug-free workplace. Among other things, the act requires that a policy is published notifying employees that the unlawful manufacture, distribution, possession or use of controlled substances is prohibited in the workplace. It also requires that certain actions be taken if this policy is broken.

It is the policy of the State of Connecticut that each employee has a right to come to work and perform his or her job in an environment that is free from the illegal use of drug. It is also in the interest of the State and the public that employees be able to perform their duties safely and efficiently. The State is firmly committed to promoting high standards of health, safety and efficient service. Thus, our goal is to maintain a work environment free from the effects of drug abuse.

It is the policy of the State of Connecticut that employees shall not unlawfully manufacture, distribute, dispense, possess or use a controlled substance while on the job or in the workplace, or be under the influence of a controlled substance, not prescribed for him/her by a physician, while on the job or in the workplace. Any employee violating this policy will be subject to discipline, up to and including termination.

Controlled substances are specifically defined in federal law. They consist of two classes of "drugs": 1) those commonly thought of as "illegal" drugs, and 2) certain medications available by prescription, but not being taken under a physician's orders, which the federal government has determined have a potential for abuse, or are potentially physically or psychologically addictive.

Employees must inform their agency's personnel administrator (or the person serving in the personnel role) within five (5) days of any drug conviction for violation of a state or federal drug statute if the violation occurred in the workplace. A conviction means a finding of guilty, including a plea of nolo contendere, or the imposition of a sentence by a judge or jury in any federal or state court. Within ten (10) days of receiving notice that one of its employees funded under a federal grant or contract has been convicted for a violation of a state or federal drug statute occurring in the workplace, the agency personnel officer must notify the appropriate federal granting or contracting agency.

Employees who have substance abuse problems are encouraged to participate in the Employee Assistance Program or a rehabilitation program prior to any disciplinary action. If an employee chooses not to undergo rehabilitation, the State will take disciplinary action consistent with collective bargaining agreements and State law and regulation.

Since it is a federal certification requirement that employees be notified of this policy, each employee will receive a copy of it. This policy will also be available at Agency Personnel Offices.

## **Appendix 2. The College's Alcohol Policy for Students.**

Tunxis Community College is dedicated to the improvement of students' lives through education. Abuse of drugs (including alcohol) is contrary to this purpose. This statement is intended to ensure that all Tunxis students and staff are aware of the College's position on this issue.

The unlawful possession, use or distribution of drugs and alcohol by students and staff on College property, or in any College activity, is prohibited.

The unlawful possession, use or distribution of drugs and alcohol can result in prosecution under federal, state, or local laws, with consequences including fines and incarceration. Abuse of alcohol and drugs may result in long-term and serious health problems, such as damage to the liver, brain, and heart; loss of ability to function in daily life; increased likelihood of accidents and injury; increased exposure to sexually transmitted and other infectious diseases; and death by overdose.

Students experiencing problems with drugs and alcohol should see a Tunxis counselor or student development specialist for confidential referral to an appropriate source of help.

The College's student discipline policy includes sanctions for unlawful involvement with drugs and alcohol.

**Appendix 3. College disciplinary sanctions pertaining to employees.**

Any employee violating this policy will be subject to discipline, up to and including termination. Failure to comply with this policy will result in invocation of the appropriate disciplinary procedure and may result in separation from the college and referral to the appropriate authorities for prosecution.

**Appendix 4. Sanctions imposed by the College for student conduct violations.  
[Board Policy 5.2.1 Policy on Student Conduct]**

A community college may discipline a student in the following situation:

1. For knowingly possessing, using, transmitting, selling, or being under the influence of any dependency-producing drugs, as that term is now defined or may hereafter be defined by law, (1) on the college campus or (2) off the college campus at a college-sponsored activity, function, or event. Use or possession of a drug authorized by a medical prescription from a registered physician shall not be a violation of the provision.

**Disciplinary Penalties**

1. *Disciplinary penalty* shall mean any action affecting the status of an individual as a student taken by the college in response to student misconduct, including but not limited to the following:
2. *Expulsion*. Expulsion is a permanent separation from the college involving denial of all student privileges, including entrance to college premises.
3. *Suspension*. Suspension is a temporary disciplinary separation from the College involving denial of all student privileges, including entrance to college premises.
4. *Removal of College Privileges*. This penalty may involve restrictions on student privileges for a definite period of time, not to exceed two semesters.
5. *Disciplinary Probation*. Disciplinary probation is a status that indicates either (a) serious misconduct not warranting suspension, expulsion, or removal of college privileges, or (b) repetition of misconduct after warning has been imposed.
6. *Disciplinary Warning*. Disciplinary warning is a written notice to the student indicating what specific behavior or activity is in violation of these regulations and that repetition of similar or other unsatisfactory behavior would likely result in more serious disciplinary action.
7. *Community Service*. Community service involves an obligation, agreed to by the student as an alternative to 1 through 5 above, for a given number of hours of service on the campus or in the community at large.

## **Appendix 5. Statutes pertaining to drugs and alcohol.**

### Connecticut Statutes

1. Sale of Alcohol to Minors and Intoxicated Persons (see CT General Statutes §30-86)
  - a) Any permittee who sells or delivers alcoholic liquor to any minor, or to any intoxicated person, or to any habitual drunkard shall be fined not more than \$1,000 or imprisoned not more than one (1) year or both.
  - b) Any person who sells, ships, delivers or gives alcoholic liquor to any minor, by any means, including but not limited to, the Internet or any other on-line computer network, except on the order of a practicing physician, shall be fined not more than \$1,500 or imprisoned not more than 18 months, or both.
2. Inducing Minors to Procure Liquor (see CT General Statutes §30-87)
  - c) Any person who induces any minor to procure alcoholic liquor from any person permitted to sell the same shall be fined not more than \$1,000 or imprisoned not more than one (1) year or both.
3. Misrepresentation of Age (see CT General Statutes §30-88a)
  - a. Any person who misrepresents his age or uses or exhibits for the purpose of procuring alcoholic liquor an operator's license belonging to any other person shall be fined not less than \$200 or more than \$500 or imprisoned for not more than 30 days, both.
4. Procuring Liquor by Persons Forbidden and Public Possession of Liquor by Minors (see CT General Statutes §30-89)
  - a. Any person to whom the sale of alcoholic liquor is by law forbidden who purchases or attempts to purchase such liquor or who makes any false statement for the purpose of procuring such liquor shall be fined not less than \$200 nor more than \$500.
  - b. Any minor who possesses any alcoholic liquor on public or private property shall, for a first offense, have committed an infraction, and for any subsequent offense, be fined not less than \$200 or more than \$500.
5. Dram Shop Act (see CT General Statutes §30-102)
  - a. If any person, by himself or his agent, sells any alcoholic liquor to any intoxicated person, and such purchaser, in consequence of such intoxication, thereafter injures the person or property of another, such seller shall pay just damages to the person injured, up to the amount of \$250,000, or to persons injured in consequences of such intoxication up to an aggregate amount of \$250,000 to be recovered in an action under this section, provided the aggrieved person or persons shall give written notice to such seller of such person's or persons' intention to bring an action under this section.

## Federal Laws

### 1. Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

Penalty for Simple Possession (See §21 U.S.C. 844 [A].)

First conviction: Up to one year imprisonment and fined at least \$1,000.

After 1 prior drug conviction: At least 15 days in prison, not to exceed two years, and fined at least \$2,500.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined a minimum of \$1,000, if:

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

### 2. Criminal Forfeitures (See §21 U.S.C. 853[a] [2] and 881[a] [4].)

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.)

### 3. Forfeitures (See §21 U.S.C. 881[a] [4].)

All conveyances, including aircraft, vehicles, or vessels, which are used, or are intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealments of property.

4. Civil Penalties for Possession of Small Amounts of Certain Controlled Substances (See §21 U.S.C. 844[a].): Civil fine up to \$1,000.
5. Denial of Federal Benefits to Drug Traffickers and Possessors (See §21 U.S.C. 862[a].) Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses up to one year for first offense, up to five years for second and subsequent offenses.
6. Firearm Forfeiture (See §18 U.S.C. 922 [g].) Ineligible to receive or purchase a firearm.
7. Miscellaneous Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.
8. Federal Trafficking Penalties  
See “Federal Trafficking Penalties” Charts.

**Town of Farmington**

ARTICLE I Possession by Underage Persons [Adopted 2-12-2002]

**§ 76-1. Purpose.**

The purpose of this article is to address the issue that the unregulated possession of alcoholic liquor by persons under the age of 21 is detrimental to the general welfare, health and safety of the residents of the Town of Farmington, and especially its youth.

**§ 76-2. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

ALCOHOLIC LIQUOR — Shall have the same meaning as the same term is defined in Title 30, Section 30-1 of the Connecticut General Statutes.

HOST — To organize a gathering of two or more persons or to allow the premises under one's control to be used with one's knowledge for a gathering of two or more persons for personal, social or business interaction.

MINOR — The same meaning as the same term is defined in Title 30, Section 30-1 of the Connecticut General Statutes.

**§ 76-3. Possession restricted.**

No minor shall possess any container of alcoholic liquors, whether opened or unopened, within the Town of Farmington, except when accompanied by or in the presence of his or her parent, guardian or spouse who has attained the age of 21. This restriction shall apply to both public and private property.

**§ 76-4. Hosting events. [Amended 6-25-2002]**

No person shall host an event or gathering at which the person knows or reasonably believes that alcoholic liquor will be consumed by or dispensed to any minor unless said minor is accompanied by or in the presence of his or her parent, guardian, or spouse who has attained the age of 21. This restriction shall apply to any event or gathering within the Town of Farmington, whether conducted on public or private property.

**§ 76-5. Penalties for offenses. [Amended 6-25-2002]**

- A. Any person violating any provision of this article shall be subject to a fine of \$100.
- B. Exceptions: The provisions of §§ 76-3 and 76-4 of this article shall not apply to the following:
  - (1) A minor who possesses alcoholic liquor on the order of a practicing physician or any person who sells, ships, delivers or gives any alcoholic liquors to a minor on the order of a practicing physician.
  - (2) A person over the age of eighteen who is an employee or permit holder under Section 30-90a of the Connecticut General Statutes and who possesses alcoholic liquor in the course of such person's employment or business or in the course of a sale, shipment or delivery of alcoholic liquor made to a person over age 18 who is an employee or permit holder under Section 30-90a of the Connecticut General Statutes and where such sale, shipment or delivery is made in the course of such person's employment or business.

### **§ 148-3. Violations.**

It shall be a violation of this chapter for any person to commit any of the following actions with respect to the properties listed:

- L. To partake of any alcoholic beverage on any open space property except for Westwoods Golf Course and except as otherwise permitted by the Town Manager or his or her designee.
  - (1) No person shall partake of alcohol on school grounds or Town property except in conjunction with a permitted or supervised activity of the Board of Education or the Town or as otherwise permitted by the Superintendent of Schools or the Town Manager or his or her designees.
  - (2) No person shall partake of alcohol on the Westwoods Golf Course in violation of any rules established and posted for that facility.

Ordinances for the Town of Farmington may be found at:

<http://www.e-codes.generalcode.com/globalsearch.asp>

## **City of Bristol – Code of Ordinances**

Sec. 16-2. Regulated conduct, activities, substances and acts in public parks.

The following conduct, activities, substances and acts within the public parks of the city shall be regulated as provided herein:

(a) *Alcoholic beverages and controlled substances.*

(1) The possession or consumption of any alcoholic beverage shall be prohibited unless authorized specifically by the board of park commissioners and confined within those areas specifically designated.

(2) The possession or consumption of any illegal drug or the possession or consumption of any controlled substance for which no authorized prescription has been issued to the person possessing or consuming same shall be prohibited.

(3) No person shall be under the influence of any alcoholic beverage or drug so as to pose a threat to himself or herself, other persons, or property, or to cause behavior that unreasonably disturbs others.

### **DIVISION 1. POSSESSION OF ALCOHOLIC LIQUOR BY PERSONS UNDER 21 YEARS OF AGE**

#### **Sec. 15-41. Intent.**

The city council finds that the unregulated possession of alcoholic liquor by persons under the age of twenty-one (21) is detrimental to the general welfare, health and safety of the citizens of the city, and especially its youth.

(Ord. of 4-12-05)

#### **Sec. 15-42. Definitions.**

*Alcoholic liquor* shall have the same meaning as the same term is defined in Title 30, Chapter 545, Section 30-1 of the Connecticut General Statutes.

*Host* shall mean to organize a gathering of two (2) or more persons, or to allow the premises under one's control to be used with one's knowledge for a gathering of two (2) or more persons, for personal, social or business interaction.

(Ord. of 4-12-05)

#### **Sec. 15-43. Possession of alcoholic liquor restricted.**

No person under the age of twenty-one (21) shall possess any container of alcoholic liquor, whether opened or unopened, within the city except when accompanied by or in the presence of his or her parent, legal guardian, or spouse who has attained the age of twenty-one (21) years. This restriction shall apply to both public and private property.

(Ord. of 4-12-05)

#### **Sec. 15-44. Restrictions regarding hosting of event or gathering at which alcoholic liquor is present.**

No person shall host an event or gathering at which alcoholic liquor is consumed by or dispensed to any person who has not attained the age of twenty-one (21) years unless said person is accompanied by or in the presence of his or her parent, legal guardian, or spouse who has attained the age of twenty-one (21) years. This prohibition shall apply to any event or gathering within the city, whether conducted on public or private property. (Ord. of 4-12-05)

**Sec. 15-45. Restrictions regarding sale or delivery of alcoholic liquor.**

Except as provided in section 15-43 above, no person shall sell or deliver alcoholic liquor to any person under the age of twenty-one (21) within the city.

(Ord. of 4-12-05)

**DIVISION 2. POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUOR IN PUBLIC**

**Sec. 15-46. Definitions.**

*Alcoholic liquor* shall have the same meaning as the same term is defined in Title 30, Chapter 545, Section 30-1 of the Connecticut General Statutes.

*Motor vehicle* shall have the same meaning as set forth in Section 14-1 of the Connecticut General Statutes.

*Open container* shall mean any open bottle; any bottle which was sealed by a liquor tax stamp and which seal has been broken, whether or not stopped; any can which has been opened in any way; any keg or dispensing device which is set up to dispense; or any glass, cup, jar or other vessel.

*Parked vehicle* shall have the same meaning as set forth in Section 14-1 of the Connecticut General Statutes.

*Public parking area* shall mean lots, areas, or other accommodations for the parking of motor vehicles off the street or highway and open to public use, with or without charge.

*Public area* shall mean any park, plaza, mall, area, stadium, cemetery, or other area, regardless of by whom owned or controlled, which is open to the public. For the purposes of this article, all school yards, ball fields and properties under the jurisdiction of and maintained by the board of education or the parks department shall be deemed public areas. Any public area as defined in this section that is closed by curfew, regulation or other reason shall not lose its status as a public area under this article.

*Public highway* shall mean a highway, road, street, avenue, boulevard or other way within and under the control of the City of Bristol and open to public use, including the sidewalks of any such highway.

(Ord. of 4-12-05)

**Sec. 15-47. Prohibited acts.**

Except as permitted in the following section, no person shall consume any alcoholic liquor, or possess any open container of alcoholic liquor, upon or within the limits of any public highway, public area, or public parking area within the City of Bristol. For the purposes of this article, without limiting the general applicability of this section, the consumption of alcoholic liquor or the possession of an open container of alcoholic liquor or the possession of an open container of alcoholic liquor in a parked vehicle within or upon a public parking area or a public highway or sidewalk is a violation of this article.

(Ord. of 4-12-05)

**Sec. 15-48. Exception.**

Consumption of alcoholic liquor and possession of an open container of alcoholic liquor by a person who has attained the age of twenty-one (21) years is permitted during any function, festival, event, or celebration conducted on or within a public highway, public area, or parking area pursuant to any law, statute, ordinance, resolution or permit authorizing the sale and consumption of liquor in or upon such public highway, public area or parking area.

(Ord. of 4-12-05)

**DIVISION 3. PENALTIES FOR VIOLATION OF ORDINANCES PERTAINING TO POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUOR**

**Sec. 15-49. Penalties.**

Any person violating any provision of this article shall be guilty of an infraction and be penalized ninety dollars (\$90.00) as provided for in section 1-11 of this Code. (Ord. of 4-12-05)

Ordinances for the City of Bristol may be found online at:

<http://www.municode.com/resources/gateway.asp?pid=10284&sid=7>

**Federal Penalties [Source: U.S. Drug Enforcement Administration]**

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<p><b>First Offense:</b></p> <p>Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual</p> <p><b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual</p>	5 kgs or more mixture	<p><b>First Offense:</b></p> <p>Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment</p>
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	
<b>PENALTIES</b>				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<p><b>First Offense:</b> Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	1 gm or more	<p><b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual</p>		
Other Schedule III drugs	Any amount	<p><b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	30 to 999 mgs	<p><b>Second Offense:</b> Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual</p>		
All other Schedule IV drugs	Any amount	<p><b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p>		
Flunitrazepam (Schedule IV)	Less than 30 mgs	<p><b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>		
All Schedule V drugs	Any amount	<p><b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

## Federal Penalties - Marijuana

DRUG	QUANTITY	1 <sup>st</sup> OFFENSE	2 <sup>nd</sup> OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> <li>• Not less than 10 years, not more than life</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not less than 20 years, not more than life</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine not more than \$8 million if an individual, \$20 million if other than an individual</li> </ul>
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> <li>• Not less than 5 years, not more than 40 years</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine not more than \$2 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not less than 10 years, not more than life</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture  more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>• Not more than 20 years</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not more than 30 years</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> <li>• Not more than 5 years</li> <li>• Fine not more than \$250,000, \$1 million other than individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not more than 10 years</li> <li>• Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>
Hashish	10 kg or less		
Hashish Oil	1 kg or less		