

Drug-Free Workplace Act Informational Pamphlet

In compliance with the Higher Education Amendments of 1998 (Formerly Drug Free Schools and Communities Act, Amendments of 1989)

PURPOSE

The illicit use of drugs and alcohol at Westfield State University, on university property, or at university activities, impairs the safety and health of students and employees, inhibits the personal growth of students, lowers the productivity and quality of work performed by employees and undermines the public's confidence in the university. Only in an environment free of substance abuse can Westfield State University fulfill its mission of developing the professional, social, cultural, and intellectual potential of each member of its community.

The Higher Education Amendments of 1998 require that as a condition of receiving funds or any form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of drugs or alcohol by students and employees. The information that follows outlines the standards of conduct that clearly prohibit the unlawful possession, use, or distribution of drugs and alcohol by students and employees on university property or as any part of university activities, and describes the applicable legal sanctions, associated health risks, and support programs and services available to employees and students.

All members of this community—faculty, staff, and students, are urged to carefully and seriously reflect upon their personal responsibility to remain drug free, and further, to demonstrate care and concern for others through timely intervention, support, and referral.

ALCOHOL

Health Risks

Drinking too much – on a single occasion or over time – can take a serious toll on your health. Here's how alcohol can affect your body:

Brain: Alcohol interferes with the brain's communication pathways, and can affect the way the brain looks and works. These disruptions can change mood and behavior, and make it harder to think clearly and move with coordination.

Heart: Drinking a lot over a long time or too much on a single occasion can damage the heart, causing problems including: 1) Cardiomyopathy – Stretching and drooping of heart muscle; 2) Arrhythmias – Irregular heart beat; 3) Stroke; 4) High blood pressure.

Research also shows that drinking moderate amounts of alcohol may protect healthy adults from developing coronary heart disease.

Liver: Heavy drinking takes a toll on the liver, and can lead to a variety of problems and liver inflammations including: 1) Steatosis, or fatty liver; 2) Alcoholic hepatitis; 3) Fibrosis; 4) Cirrhosis

Pancreas: Alcohol causes the pancreas to produce toxic substances that can eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood vessels in the pancreas that prevents proper digestion.

Cancer: Drinking too much alcohol can increase your risk of developing certain cancers, including cancers of the: 1) Mouth; 2) Esophagus; 3) Throat; 4) Liver; 5) Breast

Immune System: Drinking too much can weaken your immune system, making your body a much easier target for disease. Chronic drinkers are more liable to contract diseases like pneumonia and tuberculosis than people who do not drink too much. Drinking a lot on a single occasion slows your body's ability to ward off infections – even up to 24 hours after getting drunk.

ALCOHOL EQUIVALENCIES = 1 Standard Drink

12 oz. of Regular
Beer =



About 5% alcohol

8-9 oz. of Malt
Liquor =



About 7% alcohol

5 oz. of Table Wine =



About 12% alcohol

1.5 oz. shot of
Distilled Spirits (Gin,
Rum, Tequila, Vodka,
Whiskey)



About 40% alcohol

Excessive drinking includes binge drinking, heavy drinking, and any drinking by pregnant women or people younger than age 21.

Binge drinking, the most common form of excessive drinking, is defined as consuming: 4 or more drinks during a single occasion for women; 5 or more drinks during a single occasion for men.

Heavy drinking is defined as consuming: 8 or more drinks per week for women; 15 or more drinks per week for men. Most people who drink excessively are not alcoholics or alcohol dependent.

Moderate drinking. The Dietary Guidelines for Americans defines moderate drinking as up to 1 drink per day for women and up to 2 drinks per day for men. In addition, the Dietary Guidelines do not recommend that individuals who do not drink alcohol start drinking for any reason.

However, there are some people who should not drink any alcohol, including those who are:
1) Younger than age 21; 2) Pregnant or may be pregnant; 3) Driving, planning to drive, or participating in other activities requiring skill, coordination, and alertness; 4) Taking certain prescription or over-the-counter medications that can interact with alcohol; 5) Suffering from certain medical conditions; 6) Recovering from alcoholism or are unable to control the amount they drink.

Short-Term Health Risks: Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- 1) Injuries, such as motor vehicle crashes, falls, drownings, and burns;
- 2) Violence, including homicide, suicide, sexual assault, and intimate partner violence;
- 3) Alcohol poisoning, a medical emergency that results from high blood alcohol levels;
- 4) Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV;
- 5) Miscarriage and stillbirth or fetal alcohol spectrum disorders (FASDs) among pregnant women.

Long-Term Health Risks: Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- 1) High blood pressure, heart disease, stroke, liver disease, and digestive problems;
- 2) Cancer of the breast, mouth, throat, esophagus, liver, and colon;
- 3) Learning and memory problems, including dementia and poor school performance;
- 4) Mental health problems, including depression and anxiety;
- 5) Social problems, including lost productivity, family problems, and unemployment;
- 6) Alcohol dependence, or alcoholism.

By not drinking too much, you can reduce the risk of these short- and long-term health risks.

Blood Alcohol Concentration (BAC)

Blood Alcohol Concentration (BAC) refers to the amount of alcohol in an individual's bloodstream. A person's size, gender, weight, fat to muscle ratio, and amount of food in one's stomach will affect the absorption of alcohol into the bloodstream. The predominant factor in absorption is the metabolizing of alcohol by the liver. When alcohol enters the bloodstream, 95% is metabolized by the liver and 5% is excreted in breath, sweat, and urine. The liver takes about one hour per drink to clear the body of alcohol.

- Just one drink can impair skills and judgment.
- It is risky to operate any machinery or engage in any activity that requires concentration and alertness after drinking any amount of alcohol.

NOTE: ONE DRINK= 1 1/4 oz. of 80 proof liquor OR 1 oz. of 100 proof liquor OR 12 oz. of beer OR 4 oz. of wine.

The following chart can help estimate Blood Alcohol Concentration (BAC):

BAC	Number of Drinks	Effects
.02%	Less than one drink	Legally intoxicated in Massachusetts (Under 21 years old)
.03%	One drink	No overt effects Slight feeling of muscle relaxation Slight mood elevation Under 21 drivers may have license suspended
.05%	One to two	Usually a feeling of well-being Feeling of muscle relaxation Impaired judgment Coordination and level of alertness lowered Slight decrease in reaction time Increased risk of collision while driving
.08%	Two to four	Legally intoxicated in Massachusetts (Over 21 years old)
.10%	Three to five	Coordination and balance becomes difficult Reaction time significantly slowed Muscle control and speech impaired Limited night vision and peripheral (side) vision Loss of self-control Crash risk greatly increased
.14 - .15%	Five to seven	Major impairment of mental and physical control Slurred speech, blurred vision Lack of motor skills Consistent and major decrease in reaction time
.20%	Ten to fourteen	Staggering and severe motor disturbances Severe intoxication No awareness of surroundings Minimal conscious control of mind and body
.40%	Ten to fourteen	Unconsciousness – threshold of coma Lethal dosage for fifty percent of individuals
.50%	Fourteen to twenty	Deep coma
.60%	Eighteen to twenty	Death from respiratory failure

Local Laws

The City of Westfield prohibits the following:

- The consumption by anyone of alcohol on any playground, park, school, sidewalk, way, or any other city property and also prohibits the possession of alcohol by anyone under 21 years old in these same places. *§§10-23, 10-24 and 11-68. City of Westfield Ordinances.*
- Urination in public places and places visible to the public or where the public has access. Fine of \$50.00. *§10-25 City of Westfield Ordinances.*

- Nuisance House – The city of Westfield has enacted this ordinance to reduce/eliminate loud and/or out of control parties that disturb others around them. The ordinance provides incentive to landlords to evict tenants, who violate this ordinance. Penalties include a \$300 fine plus response costs of fire and police to the scene. Two key pieces of information from this ordinance are listed below (§10-28 City of Westfield Ordinances):
 - a. It is the duty of any person having control of any premises who knowingly hosts, permits or allows a gathering at said premises to take all reasonable steps to prevent the consumption of alcoholic beverages by any underage person at the gathering. Reasonable steps include, but are not limited to, controlling access to alcoholic beverages at the gathering; controlling the quantity of alcoholic beverages at the gathering, verifying the age of persons attending the gathering by inspecting a government-issued license or identification card; and supervising the activities of underage persons at the gathering.
 - b. Public nuisance. A gathering of persons on any premises in a manner which constitutes a violation of law or creates a substantial disturbance of the quiet enjoyment of private or public property in a neighborhood. Unlawful conduct includes, but is not limited to, excessive noise, excessive pedestrian and vehicular traffic, obstruction of public streets by crowds or vehicles, illegal parking, public urination, furnishing of an alcoholic beverage to a minor, fights, disturbances of the peace, litter and allowing an unsafe number of persons at the premises and exceeding the safe capacity of the premises.

A fine of up to \$300 may be imposed for violation of §10-23(open container or consumption of alcohol in a public place). Violations of sections 10-24(minor in possession of alcohol) and 11-68(consumption of alcohol in public parks) carry fines of \$100. §1-9 City of Westfield Ordinances.

Massachusetts General Laws Pertaining to Alcohol

Driving Under the Influence (DUI)

In Massachusetts, driving under the influence includes the use of alcohol, marijuana, narcotics, depressants, stimulants or glue vapors. Massachusetts law provides that by driving on a public road, a driver has impliedly consented to a chemical analysis of their breath or blood, which is why you can be penalized for refusing the test without ever being convicted of drunk driving.*

Breathalyzer Test and License Suspension* <i>Information obtained from M.G.L.A. c.90 §§24, 24P</i>	
<i>Situation</i>	<i>License Suspension</i>
Over 18 years old and refuses test	180 days to Life
18-21 years old and blows a .02 or fails to complete a prescribed treatment program	
Under 18 years old and refuses test	3 years
Under 18 years old and consents to test and blows a .02 or fails to complete a prescribed treatment program	

Over 21 years old with a previous conviction and refuses test	
Over 21 years old with 2 or more previous convictions and refuses test	5 years
Over 21 years old with 3 or more previous convictions and refuses test	Life
*Massachusetts law provides that by driving on a public road, a driver has impliedly consented to a chemical analysis of their breath or blood, which is why you can be penalized for refusing the test without ever being convicted of drunk driving	

Conviction <i>Information obtained from M.G.L.A. c.90 §24, 24P</i>		
<i>Conviction</i>	<i>Penalty</i>	
First Offense	Fine	\$500-\$5,000
	Incarceration:	Maximum 2.5 years
	License Suspension:	90 days-1 year (Under 18, 180 days)
Second Offense	Fine:	\$600-\$10,000
	Incarceration:	Minimum 30 days; up to 2.5 years
	License Suspension:	1 year-2 years (Under 18, 1 year)
Third Offense	Fine:	\$1,000-\$15,000
	Incarceration	Minimum 150 days; up to 5 years
	License Suspension	2-8 years
Fourth Offense	Fine	\$1,500-\$25,000
	Incarceration	Minimum 1 year; up to 5 years
	License Suspension	5-10 years
Fifth Offense	Fine	\$2,000-\$50,000
	Incarceration	Minimum 2 years; up to 5 years
	License Suspension	Life

In addition to the above penalties for a conviction, one who is convicted, placed on probation, or is granted a continuance without a finding or otherwise pleads guilty to facts sufficient to convict for driving under the influence may also be assessed up to a \$250 fee and a mandatory \$50 fee. *M.G.L.A. c.90 §24.*

Once convicted you may also be ordered to participate in a driver education program, drug treatment program, drug rehabilitation program, or any combination of the three. Costs for these programs may also be your responsibility. *M.G.L.A. c.90 §24.* **If a BAC of .20 or greater is admitted into evidence,** the offender is subject to mandatory inpatient treatment and a mandatory outpatient evaluation (and for the costs of both). *M.G.L.A. c. 90 §24Q.*

After being convicted of a DUI you will be required to install and maintain an "ignition interlock device" on any vehicle you drive for a duration of 2 years after you regain any privilege to drive. Your privilege to drive can be revoked through an administrative Registry hearing up to life if you: disconnect the device; fail to maintain it or have it inspected or monitored; or if the device records a BAG over .02. *M.G.L.A. c. 90 §24 1/2.*

If you let someone drive a vehicle under your control that is not equipped with an ignition interlock device and you know that such person has an ignition interlock device restricted license, you will be subject to 1 year in jail and/or a fine of up to \$500 for a first offense; up to 2 ½ years in jail and/or a fine of up to \$1,000 for a second offense. In addition, the Registry of Motor Vehicles may suspend your vehicle registration or driver's license for up to 1 year for a first or second offense. *M.G.L.A. c. 90 §12.*

Tampering with an ignition interlock device can draw a jail sentence of 6 months to 5 years. *M.G.L.A. c. 90 Section 24T.* Breathing into an ignition interlock device for a person whose license is so restricted for the purpose of providing that person with an operable motor vehicle will be punished by a fine of \$1,000 to \$5,000 or by a jail sentence of 6 months to 5 years. *M.G.L.A. c. 90 §24U.*

If your license has been suspended or revoked because of a DUI and you are convicted of operating a motor vehicle while your license has been suspended or revoked, you will be subject to a fine of \$2,500 to \$10,000 and a mandatory jail term of at least 1 year and up to 2 ½ years (no early release for good time served, furlough, probation or parole until at least 1 full year has been actually served). If charged with this offense, a court is not free to reduce these penalties or to continue your case without a finding. *M.G.L.A. c. 90 §23.*

Other Massachusetts Laws Pertaining to Alcohol

Providing Alcohol to Persons Under 21 Years Old *M.G.L.A. c. 138 §34*

- Punishable by a fine of \$2,000, up to one year in prison, or both.

Persons Under 21 Years Old Purchasing or Procuring Alcohol *M.G.L.A. c.138 §34A*

- Persons under 21 years old who purchase, attempt to purchase alcohol, make arrangements with another to purchase or procure alcohol, misrepresents his age, alters or falsifies his I.D. with intent to purchase alcohol shall be punished by a fine of \$300.
- A conviction of this crime will result in a driver's license suspension of 180 days.

Requirements of Persons in Licensed Alcohol Establishments *M.G.L.A. c. 138 §348*

- Upon request by an official you must state your correct name, age, and address or may be fined up to \$500.
- Making, carrying, using, or selling altered or forged identification, using the legitimate ID of another or furnishing false information to obtain such identification may be punished by a fine of \$200 or incarceration for up to three months.
- Alternatively, if the Registrar of Motor Vehicles merely has "reasonable belief" that someone has violated any of the above; your license can be suspended for up to six months.

Altering or Forging a Driver's License *M.G.L.A. c. 90 §248*

- Whoever alters, forges, or steals a driver's license shall be punished by a fine of up to \$500 or by incarceration of up to 5 years.
- A conviction of this crime will result in a license suspension of 1 year.
- A more likely scenario is that your case will be referred to the registry of motor vehicles for an administrative hearing at which your license can be suspended for up to 6 months if the hearing officer reasonably believes you are responsible.
- Forging and distributing more than five false licenses, permits, or I.D. cards can result in can result in a felony conviction and significant fines and jail term.

Minor in Possession of Alcohol *M.G.L.A. c. 138 §34C*

- Any person under 21 years of age who knowingly possesses, carries, or transports alcohol shall be punished by a fine of \$50 for a first offense and \$150 for any subsequent offense.
- A conviction of this crime will result in a driver's license suspension of 90 days.

Transport of Alcohol *M.G.L.A. c. 138 §22*

- Whoever knowingly transports more than a personal limit of 20 gallons of malt beverages, or 3 gallons of any other alcoholic beverage, or 1 gallon of alcohol or its equivalent shall be punished by a fine of up to \$2,500, or up to 6 months incarceration, or both.

Open Containers in Motor Vehicles *M.G.L.A. c. 90 §241. See also M.G.L.A. c. 138 §34C*

- Whoever possesses an open container of alcohol in the passenger area of any motor vehicle shall be fined \$100 to \$500.

Federal Laws Pertaining to Alcohol

Manufacture or Import of Alcohol *27 U.S.C.A. §§203, 207*

- It is unlawful to manufacture, produce, or import intoxicating liquors without a permit. Violators will be fined up to \$1,000 for each offense.

HEALTH RISKS OF OTHER DRUGS

Tobacco and E-Cigarettes

Tobacco use is the leading preventable cause of disease, disability, and death in the United States — about 1 in every 5 U.S. deaths—and an additional 16 million people suffer with a serious illness caused by smoking. In fact, for every one person who dies from smoking, about 30 more suffer from at least one serious tobacco-related illness. Almost 41,000 nonsmokers die from diseases caused by secondhand smoke exposure.

Although they do not produce tobacco smoke, e-cigarettes still contain nicotine and other potentially harmful chemicals. Nicotine is a highly addictive drug, and recent research suggests nicotine exposure may also prime the brain to become addicted to other substances. Also, testing of some e-cigarette products found the vapor to contain known carcinogens and toxic chemicals (such as formaldehyde and acetaldehyde), as well as potentially toxic metal nanoparticles from the vaporizing mechanism. The health consequences of repeated exposure to these chemicals are not yet clear.

Another worry is the refillable cartridges used by some e-cigarettes. Users may expose themselves to potentially toxic levels of nicotine when refilling them. Cartridges could also be filled with substances other than nicotine, thus possibly serving as a new and potentially dangerous way to deliver other drugs.

Marijuana

Marijuana is psychologically and physiologically addictive, contains four times as much cancer causing tar as one cigarette and is four to twenty times stronger than the marijuana from the 1960's. Marijuana contains 426 known chemicals in its smoke and has been linked to lung disease, cancer, genetic damage, lowered immunity, and impaired physical and psychological development. Important discoveries in recent years include marijuana's ability to exacerbate existing mental health problems and marijuana's ability to significantly lower IQ with continued and regular use. Compared to nonusers, heavy marijuana users more often report the following: lower life satisfaction; poorer mental health; poorer physical health; more relationship problems. Users also report less academic and career success. For example, marijuana use is linked to a higher likelihood of dropping out of school. It is also linked to more job absences, accidents, and injuries.

Steroids

Steroids are used to increase the body's performance or physical appearance. Although performance is temporarily increased, the side effects are very harmful to the body. Long term effects include heart, liver, and kidney trouble, high blood pressure, diabetes, poor healing after an injury, muscle and tendon tears, and psychological problems with aggression and depression. Short term effects include impotence, balding, acne, psychological problems and decreased hormones. Steroids may temporarily enlarge muscle tissue, but without constant use and exercise, the muscles will decrease quickly.

Cocaine

A powerful stimulant to the central nervous system, cocaine is a very addictive drug. The odorless, white powder from the coca plant comes in various forms. One of the most popular is crack, a cheaper, smoked form of the drug. Cocaine creates a high in the user, which causes alertness, excitement, talkativeness, overconfidence, and a lessened need for sleep. After the high, the "crash" occurs. This includes depression, restlessness, anxiety, and impaired concentration. One of the more notable dangers is the level to which cocaine raises blood pressure. This effect can bring congenital defects in blood vessels or the heart, which under normal circumstances might go undetected and cause no serious problem, to a point of life-threatening. Repeated use of cocaine will lead to addiction and other complications such as heart failure, family and financial problems. Other increasingly popular stimulants being abused include Ritalin, Adderall, and crystal methamphetamine.

Heroin

Heroin is a derivative of the opium poppy. Like other opiates, heroin decreases heart rate and breathing. For this reason it is a dangerous mix with alcohol, which also decreases heart rate and breathing. When taken in excess, heroin can lower blood pressure to dangerous levels. The high produced by heroin has the effects of euphoria and pain numbing. When a user withdraws from heroin they may experience hypersensitivity to physical and emotional pain, and experience muscle cramping, and nausea. Heroin, like cocaine, is both physically and psychologically addictive. Heroin has appeared on the street in increasing purity, causing the unsuspecting user to inadvertently overdose.

Hallucinogens

Hallucinogen drugs are a class of drugs that produce profound psychoactive effects, including alteration in sensation, mood, and consciousness. These effects may also include alteration in perception through the senses that depart from reality. Hallucinogens such as MDMA can produce psychological problems

that include confusion, depression, sleep problems, drug craving, severe anxiety, and paranoia. Psychotic episodes have been reported. Increased heart rate, increased blood pressure, muscle tension, involuntary teeth clenching, nausea, blurred vision, dehydration, rapid eye movement, sweating, and chills are some of the physical effects. The long term use of hallucinogens tends to be unpredictable. Users of hallucinogens build tolerance, requiring that they take more of the drug to achieve the same effects. Some hallucinogens have been known to produce an extended and undesired psychosis. Risk of accidental injury or death is greatly increased with hallucinogen use.

Prescription Drugs

Legal, easily obtainable, prescription drugs are often the first drugs abused. Valium, Librium, Xanax, and Ativan are commonly abused prescription drugs. They represent members of the depressant class of drug. Tranquilizers and sedatives are both depressants that dull the central nervous system. Even in small amounts these drugs slow reaction time, decrease eye-hand coordination, and interfere with judgment. Alcohol greatly increases the effects of other depressants and can cause a potentially fatal overdose. Painkillers are another class of abused prescription drugs. Some of the more potent painkillers or opiates include morphine and Oxycotin or Oxycodon. The effects of these drugs are similar to heroin.

Local Drug Laws

Prohibition of Marijuana in Certain Locations – No person shall consume, display, nor cause odors to emit from, marijuana in any form nor any drug paraphernalia associated with the same, within, into or visible from any street, sidewalk, way in which the general public is afforded access, nor on or in any city owned, operated, or leased buildings or lands. (§ 8-171 City of Westfield Ordinance)

Regulation of Drug Paraphernalia – No appliance or accessory device customarily intended specifically for use in the application or administration of marijuana shall be displayed for sale to consumers except in a manner consistent with regulations of the board of health, who may impose limits on shelf space and restrict visual and physical access to such items from minors. (§ 8-172 City of Westfield Ordinance)

Penalties for Violation of §§8-171 and 8-172 – Any person who violates this ordinance shall be subject to a fine of **\$500.00** for the first violation and **\$1000.00** for a second violation and each subsequent violation that occurs within one year of any prior violation. Each instance or each calendar day of a violation shall constitute a separate offense. (§ 8-174(b) Westfield City Ordinance)

Massachusetts Drug Laws

Distribution or Trafficking Illegal Substances	
Drug Class	Penalty
A	Incarceration in state prison for up to ten years or in a house of correction for up to 2½ years or a fine of \$1,000 - \$10,000 or both
B	Same as Class A

C	Incarceration in state prison for up to five years or in a house of correction for up to 2 ½ years or a fine of \$500 - \$5,000 or both
D	Incarceration in a house of correction for up to two years or a fine of \$500 - \$5,000 or both
E	Incarceration in a house of correction for up to nine months or a fine of \$250 - \$2,500 or both

Involving Minors in Drug Sale or Distribution

- Inducing a minor to distribute or dispense or deliver a controlled substance shall be punished by 5 to 15 years in state prison (5 years mandatory minimum sentence) and a fine of \$1,000 to \$100,000. *M.G.L.A. c. 94C §§32K*
- Trafficking or sales to minors carries stiffer penalties. *M.G.L.A. c. 94C §§32E & 32F*

Simple Possession *M.G.L.A. c. 94C §§34*

- Possession of heroin is punishable by up to two years incarceration or a fine of up to \$2,000 or both.
- Possession of a Class E substance is punishable by up to six months incarceration, or a fine of up to \$500 or both.
- Possession of all other controlled substances is punishable by up to one year incarceration or a fine of \$1,000 or both.

Marijuana (decriminalized, but unlawful for those under 21 years old)

- Possession of less than two ounces of marijuana is punishable in Massachusetts by a civil fine and forfeiture of the marijuana for those 18- 21 years old. Cities and towns are free to impose additional penalties for the public consumption of marijuana or THC. *M.G.L.A. c. 94C §32L*
- Those under 18 years of age when cited for possession of marijuana must also complete a drug awareness program. *M.G.L.A. c. 94C §32M*

Federal Drug Laws

Federal Trafficking and Manufacturing Penalties			
<i>Federal penalties for possession with intent to manufacture, sell, dispense, or distribute a controlled substance including heroin cocaine, PCP, LSD, Fentanyl, methamphetamine marijuana (in useable form or actual plants) are:</i>			
First Offense		Second Offense	
Lower Amount*	Greater Amount*	Lower Amount*	Greater Amount*
5-40 Years	10 years to life	10 years to life	20 years to life
If death or serious injury occur: 20 years to life	If death or serious injury occur: 20 years to life	If death or serious injury occur: Not less than life	If death or serious injury occur: Not less than life

FINE: Individual – not more than \$5 million Other than individual – not more than \$25 million	FINE: Individual – not more than \$8 million Other than individual – not more than \$50 million	FINE: Individual – not more than \$10 million Other than individual – not more than \$50 million	FINE: Individual – not more than \$20 million Other than individual – not more than \$75 million
Serious/Violent Drug Crimes: first offense – minimum 15 year sentence; second offense – minimum 20 year sentence; third offense or subsequent – 25 year minimum sentence			
<i>Amounts vary by specific drug. See 21 U.S.C. §841 for exact amounts for each drug and full listing of drugs included in this statute. Penalties for attempt or conspiracy to traffic or manufacture are the same as above 21 U.S.C. §846.</i>			

Distribution to Persons Under 21 Years Old: Anyone who is eighteen years old or older who distributes to anyone who is under twenty-one years old. *21 U.S.C. §859.*

- First Offense: Two times the first offense penalties listed below
- Second or Subsequent Offense: Three times the first offense penalties listed above

Manufacture or Distribution within 1,000 Feet of a School, College, Playground or within 100 Feet of a Public or Private Youth Center, Public Swimming Pool, or Video Arcade Facility *21 U.S.C. §860*

- First Offense: Two times the penalties listed above
- Second or Subsequent Offense: Three times the first offense penalties listed below
- Employing Children to Distribute Near Schools or Playgrounds: Three times the first offense penalties listed above

Prohibition on Internet Sales of Date Rape Drugs

- Anyone who knowingly or intentionally sells date rape drugs (GHB, ketamine, etc.) over the internet for an illegal sexual purpose shall be fined, imprisoned up to 20 years, or both. *21 U.S.C. §841.*

Illegal Simple Possession of Pharmaceutical Drugs or Street Drugs

- First Offense: Up to one year incarceration and \$1,000 fine
- Second Offense: Up to two years incarceration and \$2,500 fine
- Third or Subsequent Offense: Up to three years incarceration and \$5,000 fine
- This statute also prohibits the purchase of more than 9 grams of ephedrine or pseudoephedrine (certain antihistamines) base within a 30 day period. *21 U.S.C. §844.*

Maintaining a Drug Involved Premises

- It is unlawful to open, rent, lease, use, maintain, manage, or own a place, whether temporarily or permanently, for the purpose of manufacturing, distributing or using controlled substances
- Penalties for violation of this law are up to 20 years incarceration or a fine of up to \$500,000 or both; a fine of up to \$2,000,000 for a company, corporation, etc..
- Anyone who violates this law may also be subject to civil penalties limited to the greater of \$250,000 or two times the gross receipts. *21 U.S.C. §856.*

Denial of Federal Benefits for a Federal or State Charge of Possession of a Controlled Substance

- Denial of federal benefits, such as student loans, grants, contracts, social security, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses. Indefinite denial for second sale offense or third possession offense and subsequent. *21 U.S.C. §862.*

PROGRAMS OF PREVENTION

A version of this document is distributed to every student and employee annually. The University contracts with an employee assistance program to help employees with substance issues. In addition to policy, and sanctioning the University promotes physical wellness through its various facilities and programs.

EMPLOYEE DRUG AND ALCOHOL POLICY AND SANCTIONS

- The employees of Westfield State University shall not unlawfully manufacture, distribute, dispense, possess or use controlled substances or alcohol on university property in conjunction with any university activity or in the university work place. Any employee who violates this policy will be subject to disciplinary action in accordance with any applicable bargaining agreement. Such disciplinary action may include suspension from employment, mandatory participation in an alcohol/drug abuse assistance or rehabilitation program, and termination of employment, as well as referral of the matter for prosecution.
- As a condition of employment, all employees will abide by this statement of policy. Employees will notify the university's associate vice president of human resources within five (5) days of being convicted of violating a criminal drug statute in the workplace. The employer will notify a grantor agency that an employee has been convicted of a drug-related offense within ten (10) days.
- Smoking and/or the use of tobacco products will not be permitted on any university property or university leased property including buildings, grounds, walkways, parking lot, wooded areas and all other property owned or operated by the university.
- Smoking and/or the use of tobacco products in university owned or leased vehicles is prohibited. Smoking and/or the use of tobacco products is also prohibited in personal vehicles when those vehicles are on university property.
- All campus constituents have a collective responsibility to promote the safety and health of the campus community and, therefore, share in the responsibility of policy compliance. Individuals observed smoking and/or using tobacco, in any form are to be reminded, in a professional and courteous manner, of the university policy.
- Employees in repeat violation of this policy will be referred to human resources.

- To assist those who wish to stop the use of tobacco products, the human resources department, the health services department, the counseling center and the employee assistance program (EAP) can direct employees and students to tobacco cessation programs which the university might provide.
- Any questions regarding the interpretation of this policy rest within the authority of the vice president of student affairs (for students) and the associate vice president of human resources (for employees).

RESOURCES FOR HELP

On-Campus Resources

Counseling Center

Brian Cahillane, Director
Counseling Center

413-572-5790

Human Resources

Trish Bonica, Associate Vice President
Human Resources and Affirmative Action

413-572-8277

Off-Campus Resources

Mass4You

(GIC's Employee Assistance Program for State Employees)

Website:

Access Code:

TTY:

1-844-263-1982

liveandworkwell.com

mass4you

711+1-844-263-1982

Outpatient Counseling Services

Center for Human Development

179 Northampton St., Easthampton, MA 01027

413-529-1764

<https://chd.org>

River Valley Counseling Center

303 Beech Street, Holyoke, MA 01040

413-540-1234

Outpatient Addiction Management

SaVida Health

50 Union St., West Springfield, MA

<https://svidahealth.com/listing/svida-health-west-springfield-ma/>

413-732-0040

Clean Slate

West Springfield, Springfield, Holyoke, Belchertown

<https://www.cleanslatecenters.com/location/massachusetts/>

833-505-4673

In-Patient Detox and Stabilization

Swift River Addiction Campuses

151 South St., Cummington, MA 01026

888-451-5895

<https://swiftriver.com/>

Adcare Hospital of Worcester Detox

107 Lincoln Street, Worcester, MA 01605

508-799-9000

<https://adcare.com/>

Massachusetts Substance Abuse Helpline

1-800-327-5050

www.helpline-online.com

Text "HOPE" to 800327

Alcoholics Anonymous Hotline

413-538-5822

westernmassaa.org

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