Help available to employees on all campuses for dependency-related problems

The hard task of winning against alcohol or drug dependency calls for supportive, confidential help.

On the West Lafayette campus, Employee Assistance, located at the Center for Healthy Living, offers that help to faculty and staff and their families who experience hardships because of substance abuse and addiction. The stereotyped picture of the alcoholic as a drunken, skid-row bum is a myth. Alcoholism affects all socio-economic groups.

Alcoholism may be defined as a disease, an addiction or dependency, but the symptoms are the same:

- an overwhelming desire to drink.
- ever-increasing tolerance for alcohol.
- personality changes caused by drinking.
- impaired judgment due to drinking.
- concealed drinking.
- emotional and/or physical isolation from friends and family.
- difficulty in daily functioning.
- physical problems.
- blackouts from drinking.

Changes in patterns of behavior are also associated with alcoholism, such as changes in work attendance, quality of work and work output; unusual flare-ups or outbreaks of temper; withdrawal from responsibility; general changes in overall attitude; and deterioration of physical appearance and grooming. These changes affect co-workers, as well as family members. Anyone who picks up the slack in the workplace unknowingly becomes involved with the disease.

Recovery is possible at any age. Individual consultations are provided in the strictest of confidence. Other services for substance abuse include:

- Assessment and evaluation.
- Referral to outpatient services.
- Services to families.
- With employee consent, consultation with supervisors.
- Assistance with questions about insurance coverage.

Information about public and private treatment programs. Faculty or staff members who believe they may have a substance abuse problem can call Employee Assistance voluntarily. Referral also can be initiated by a supervisor, family member or co-worker. The West Lafayette Employee Assistance office at 1400 West State Street, Building B, Suite C, is accessible to people with disabilities. Phone: 765-494-0111.

Comprehensive Purdue policy addresses conduct, testing, grievances

On June 12, 1998, the University distributed Executive Memorandum No. C-44, the revised Alcohol- and Drug-Free Campus and Workplace Policy. This policy became effective on July 27, 1998, and is reprinted below in its entirety.

This policy supersedes any prior oral or written policy of the University including, but not limited to, the Interim Drug Abuse Policy issued February 28, 1989; the Alcohol and Drug-Free Campus and Workplace Policies, effective September 1, 1990; and the Interim Policy for Drug and Alcohol Testing of Commercial Motor Vehicle Operators, effective January 1, 1995. The provisions of this policy are intended to comply with applicable local, state, and federal law including, but not limited to, the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, the United States Constitution, the Indiana Constitution, and the Americans With Disabilities Act of 1990. This policy is subject to change at the sole discretion of the University.

Alcohol- and Drug-Free Campus and Workplace Policy: Workplace Inspection Notice

The following notice is posted in keeping with the policy in the accompanying article:

Purdue University reserves the right to inspect the workplace for alcohol, controlled substances, or paraphernalia relating to alcohol or controlled substances and to question any employee when the University reasonably suspects that its Alcohol- and Drug-Free Campus and Workplace Policy or any procedure under that policy has been violated.


I. General Policy Statement

Purdue University is committed to providing students, faculty, staff, and visitors a safe and healthful campus and workplace. The University recognizes the health risks associated with controlled substance use and alcohol misuse and is committed to supporting students and employees who seek treatment for these conditions. The University also recognizes that controlled substance use and alcohol misuse diminish workplace and campus safety and undermine the University’s ability to fulfill its missions of education, research, and service. The University has therefore developed this Alcohol- and Drug-Free Campus and Workplace Policy. Compliance with this policy is considered a condition of employment and attendance at the University. All employees and students will be notified of this policy by publication.

II. Scope

This policy applies to all students, employees, and invitees as defined in Section III below, except those regulated under federal or state drug laws to the extent that this policy conflicts with such laws.
III. Definitions

**Alcohol** means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol. Controlled substances (or "drugs") refers to any drug or substance whose use is legally prohibited including, but not limited to, marihuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamine).

**Employee(s)** means faculty, staff, or student employees. **Invitee(s)** means any person authorized by the University to engage in University-related activities on University premises including, but not limited to, independent contractors, consultants, volunteers, individuals employed by outside employment agencies, conference attendees, and persons taking or auditing educational programs.

**Student(s)** means any person taking one or more classes for academic credit. **University premises** means any building, structure, vehicle, improved land, or unimproved land, in whole or part, which is owned, used, or occupied by the University. **Workplace** means any University premise or other location where an employee is engaged in University business.

IV. Prohibited Conduct

The following conduct is prohibited:

A. **Alcohol**. Using, selling, manufacturing, distributing, possessing, storing, or dispensing alcohol on University premises, as part of any University-related activity, or in the workplace, except as authorized under University Regulations or otherwise by the University.

B. **Controlled Substances**. Using, selling, manufacturing, distributing, possessing, storing, or dispensing controlled substances on University premises, as part of any University-related activities, or in the workplace, except as authorized under University Regulations or otherwise by the University.

C. **Employee Treatment Programs**. Failing to meet the requirements of a drug or alcohol treatment program that the University requires an employee to complete as a condition of employment.

D. **Workplace Inspection**. Interfering with a workplace inspection under this policy.

E. **Impaired Job Performance or Attendance**. Alcohol misuse or controlled substance use, even though not during working hours or in the workplace, whichimpairs job performance or attendance.

F. **Testing Procedures**. Failing any drug or alcohol test or engaging in any other conduct prohibited under the University’s drug or alcohol testing procedures.

G. **Prescription Drug Use**. 1. Being under the influence of legally prescribed drugs in the workplace that prevent an individual from performing the essential functions of his or her job or where that individual poses a direct threat while using those drugs.

2. Inquiries regarding prescription drug use by employees are governed by the Americans With Disabilities Act of 1990, and therefore should be made only as authorized by the Department of Personnel Services.

H. **Other Misconduct**. Any other conduct that the University determines to be inconsistent with providing a drug-free and alcohol-free campus and workplace.

V. Consequences of Engaging in Prohibited Conduct

A. **Factors Relevant to Sanction or Corrective Action**. The University will evaluate violations of this policy on a case-by-case basis. In determining the appropriate sanction or corrective action, the University may consider an individual’s work or academic record, the seriousness of the violation, the safety-sensitivity of the individual’s position, whether the individual’s behavior violated the University’s Violence in the Workplace Policy, whether a sanction or corrective action is permissible under law including, without limitation, The Americans With Disabilities Act of 1990, and any other relevant factors.

B. **Employee**. Any employee who engages in prohibited conduct may be:

1. Immediately removed from duty.
2. Referred to the Employee Assistance Program.
3. Required to complete successfully an alcohol or drug abuse treatment program as a condition of employment.
4. Reported to authorities for criminal prosecution or other appropriate action.
5. Disciplined, up to and including termination of employment.
6. Subject to any other appropriate action by the University.

C. **Invitee**. Any invitee who engages in prohibited conduct may be barred from further work for the University or from participating in other University-related activities as may be permitted by law. Further, they may be reported to authorities for criminal prosecution or other appropriate action.

D. **Student**. Any student who engages in prohibited conduct may be:

1. Referred to appropriate University personnel for assistance.
2. Required to complete successfully a drug or alcohol abuse treatment program as a condition of University attendance.
3. Reported to authorities for criminal prosecution or other appropriate action.
4. Subject to disciplinary penalties under University Regulations.
5. Subject to any other appropriate action by the University.

VI. Workplace Inspections

A. The University reserves the right to inspect the workplace for alcohol, controlled substances, or paraphernalia relating to alcohol or controlled substances and to question any employee when it reason-
ably suspects that this policy or any procedure under this policy has been violated.

B. The University will prominently post the following notice in conspicuous places in the workplace: Purdue University reserves the right to inspect the workplace for alcohol, controlled substances, or paraphernalia relating to alcohol or controlled substances and to question any employee when the University reasonably suspects that its Alcohol- and Drug-Free Campus and Workplace Policy or any procedure under that policy has been violated.

C. The decision to conduct a workplace inspection should be made jointly by the supervisor who believes the inspection would be appropriate under this policy and a representative of his or her campus personnel department. In all cases, the director of personnel services for the campus or his or her designee must authorize a workplace inspection.

D. This section of the policy does not limit in any way the Purdue University Police Department's right to conduct law enforcement activities including, but not limited to, questioning or searching any person or inspecting any University premises.

VII. Controlled Substance and Alcohol Testing

A. Commercial Motor Vehicle Drivers. Persons employed as commercial motor vehicle operators who are governed by Department of Transportation regulations are subject to drug and alcohol testing under procedures developed by the Department of Personnel Services.

B. Defense Contracts. Department of Defense regulations require the University to establish programs to test employees and final applicants for illegal drug use if they will work in sensitive positions on Defense Department contracts. The University will determine appropriate tests based on the nature of the work being performed, the employee's duties, the efficient use of University resources, and the risks to public health and safety and national security that could result if the employee fails to perform the duties of the position adequately.

C. Intercollegiate Athletics. Student athletes who participate in intercollegiate sports will be subject to drug and alcohol testing under National Collegiate Athletic Association regulations in testing programs developed by the University's Department of Intercollegiate Athletics.

D. Employee Reasonable Suspicion Drug and Alcohol Testing. All employees of the University may be subject to reasonable suspicion drug and alcohol testing under procedures developed by the Department of Personnel Services and approved by the president of the University or his or her designee. These procedures must, at a minimum, provide that the decision to conduct reasonable suspicion testing will be made jointly by a supervisor who believes reasonable suspicion exists and a representative of his or her human resource service team. Further, in all cases, reasonable suspicion testing must be authorized by an appropriate University employee or other individual designated by the University who has been trained to recognize physical or behavioral symptoms commonly attributed to the use of drugs or alcohol.

E. Public Safety Employees. Employees performing public safety duties may be subject to drug and alcohol testing procedures as authorized by the president of the University or his or her designee. This testing may include, but is not limited to, pre-employment testing, post-accident testing, return-to-duty testing, and follow-up testing.

VIII. Employee Self-Referral, Employee Assistance Program

A. Self-Referral. Employees with alcohol or drug problems are strongly encouraged to voluntarily contact their family physicians or the University's Employee Assistance Program for assistance. Employees may seek help without their supervisor's knowledge. Although voluntarily seeking assistance will not bar the University from treating the employee like other employees under this policy, the University will consider voluntary requests for help in determining any discipline to be imposed. The University will not assume any financial or other responsibility for drug or alcohol treatment except as may be provided by University benefits.

B. Employee Assistance Program. The University's Employee Assistance Program offers free, confidential services to employees with alcohol or drug problems, including:

1. Information about the dangers of alcohol and drug use and the University's Alcohol- and Drug-Free Campus and Workplace Policy;
2. Assessment and evaluation;
3. Referral to and information regarding public and private treatment programs;
4. Services to families of employees with drug or alcohol problems; and
5. Assistance with questions concerning insurance coverage.

IX. Federal Contract or Grant Employees

Under the Drug-Free Workplace Act of 1988 and the Federal Acquisition Regulations System, in addition to the other requirements of this policy, an employee engaged in the performance of (1) a federal agency contract for procurement of property or services valued at $25,000 or more, or (2) a federal agency grant will notify his or her supervisor or department head if he or she is convicted under a criminal drug statute for conduct in the workplace no later than five calendar days after the conviction. The University will notify the federal contracting or granting agency within 10 calendar days after receiving notice of the conviction from the employee or otherwise receiving actual notice of the conviction.

X. Grievance Procedures

Any student or employee with a complaint relating to the application of this policy may seek redress through applicable University grievance policies and procedures. However, employee complaints challenging drug or alcohol test results must be resolved in accordance with the applicable testing procedure.

XI. Confidentiality

The University will take reasonable measures to ensure individual privacy under this policy including, but not limited to, keeping all drug and alcohol test results confidential to the maximum extent possible.

XII. Administrative Responsibility

Campus personnel departments will share responsibility for administering this policy and its associated procedures as they relate to employees and invitees. The Office of the Dean of Students will administer policy and procedures related to students. Intercollegiate Athletics will be responsible for policy and associated procedures described in Section VII, paragraph C.

Rates of alcohol use carry important effects

According to the National Institute on Alcoholism and Alcohol Abuse, a person who averages two or more drinks a day over a year might be considered a heavy drinker.

Such drinkers, about 12 percent of the population, consume about 65 percent of all alcoholic beverages.

These drinkers have abnormally high risk of many health problems, including alcoholism; infection with sexually transmitted diseases, including AIDS; overdose; unexpected effects of combining alcohol and other drugs, whether street drugs or prescription drugs; damage to unborn child; and injury or death during operation of a vehicle or other machine.

A healthy liver can metabolize the amount of alcohol found in a normal alcoholic beverage, such as a bottle of beer, in just over an hour.

If you drink two or three beers an hour for three or four hours, you would have consumed at least six to eight doses of the drug alcohol. Based on the liver's normal rate of elimination, it would take at least five to six hours for the alcohol to be eliminated from your body.

Getting the alcohol out is what allows you to become sober. In other words, only time can make you sober.
### Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
<th>Substance/Quantity</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>II</td>
<td>Cocaine 500-4999 grams mixture</td>
<td>First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.</td>
<td>Cocaine 5 kilograms or more mixture</td>
<td>First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.</td>
</tr>
<tr>
<td>II</td>
<td>Cocaine Base 28-279 grams mixture</td>
<td>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $75 million if not an individual.</td>
<td>Cocaine Base 280 grams or more mixture</td>
<td>Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.</td>
</tr>
<tr>
<td>IV</td>
<td>Fentanyl 40-399 grams mixture</td>
<td></td>
<td>Fentanyl 400 grams or more mixture</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Fentanyl Analogue 10-99 grams mixture</td>
<td></td>
<td>Fentanyl Analogue 100 grams or more mixture</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Heroin 100-999 grams mixture</td>
<td></td>
<td>Heroin 1 kilogram or more mixture</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>LSD 1-9 grams mixture</td>
<td></td>
<td>LSD 10 grams or more mixture</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>Methamphetamine 5-49 grams pure or 50-499 grams mixture</td>
<td></td>
<td>Methamphetamine 50 grams or more pure or 500 grams or more mixture</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>PCP 10-99 grams pure or 100-999 grams mixture</td>
<td></td>
<td>PCP 100 grams or more pure or 1 kilogram or more mixture</td>
<td></td>
</tr>
</tbody>
</table>

### Federal Trafficking Penalties — Marijuana

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Description</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 kg or more; or 1,000 or more plants</td>
<td>Marijuana</td>
<td>Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than $10 million individual, $50 million other than individual.</td>
<td>Not less than 20 years, not more than life. If death or serious injury, life imprisonment. Fine not more than $20 million individual, $75 million other than individual.</td>
</tr>
<tr>
<td>50 to 99 kg; or 50 to 99 plants</td>
<td>Marijuana</td>
<td>Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine $1 million individual, $5 million other than individual.</td>
<td>Not more than 30 years. If death or serious injury, life imprisonment. Fine $2 million individual, $10 million other than individual.</td>
</tr>
<tr>
<td>More than 10 kg</td>
<td>Hashish</td>
<td>Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine $1 million individual, $5 million other than individual.</td>
<td>Not more than 10 years. If death or serious injury, life imprisonment. Fine $500,000 individual, $2 million other than individual.</td>
</tr>
<tr>
<td>More than 1 kg</td>
<td>Hashish Oil</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 50 kg</td>
<td>Marijuana</td>
<td>Not more than 5 years. If death or serious injury, not less than 20 years. Fine not more than $250,000 individual, $1 million other than individual.</td>
<td>Not more than 10 years. If death or serious injury, life imprisonment. Fine $500,000 individual, $2 million other than individual.</td>
</tr>
<tr>
<td>Less than 10 kg</td>
<td>Hash</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 1 kg</td>
<td>Hash Oil</td>
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</table>
Problems with law can affect all parts of life

Anyone who is engaged in the abusive or illegal use of alcohol or controlled substances faces the risk of being arrested and charged with violating state or federal laws. Even if no conviction results, the situation can be inconvenient, embarrassing, and costly. Should you be convicted for even a minor violation, the impact on your life can be devastating. The consequences include:

- Loss of employment.
- Loss of driving privileges.
- Loss or delay of educational opportunities.
- Loss or reduction of income or savings as a result of legal representation and payment of fines and fees imposed by the court.
- Loss of personal freedom through imprisonment.

The following is a summary of federal and Indiana laws in relation to the unlawful manufacture, distribution, sale, use, or possession of alcohol or controlled substances. This summary is not all-inclusive. The state legislature regularly adds new laws and amends present laws.

**Definitions**

Infractions are punishable by a fine. Misdemeanor offenses are punishable by imprisonment for a maximum of one year and a fine. Felony offenses are punishable by imprisonment for more than a year and a fine.

**Alcohol offenses**

IC 9-30-5-1. A person who operates a vehicle with 0.08 or more, by weight of alcohol, in his blood commits a Class C misdemeanor. Driving with a blood alcohol content of 0.15 or higher is a Class A misdemeanor.

IC 9-30-5-2. A person who operates a vehicle while intoxicated commits a Class B misdemeanor. A person who operates a vehicle in a manner that endangers a person, commits a Class A misdemeanor.

IC 9-30-5-3. A person who operates a vehicle while intoxicated commits a Level 6 felony if the person has a previous conviction of operating while intoxicated that occurred within the five (5) years immediately preceding the occurrence. A person who operates a vehicle while intoxicated commits a Level 6 felony if the person is at least 21 years of age and operated a vehicle in which at least one passenger is less than 18 years of age. A person who operates a vehicle while intoxicated commits a Level 5 felony if the person has a previous conviction of operating while intoxicated causing death or serious bodily injury.

IC 9-30-5-4. A person who causes serious bodily injury to another person when operating a vehicle with a blood alcohol content of at least 0.08 commits a Level 6 felony. If the person has a previous conviction of operating while intoxicated within 5 years preceding the offense then the offense is a Level 5 felony.

IC 9-30-5-5. A person who causes the death of another person when operating a vehicle with a blood alcohol content of at least 0.08 commits a Level 5 felony. If the person has a previous conviction of operating while intoxicated within 5 years preceding the offense or knew that the person's driving privilege is suspended or revoked for a previous conviction for operating a vehicle while intoxicated then the offense is a Level 6 felony.

IC 9-30-5-6. A person who operates a vehicle while intoxicated commits a Level 5 felony if the person is at least 21 years of age and operated a vehicle with a blood alcohol content of at least 0.15 commits a Level 4 felony. A person who operates a vehicle while intoxicated commits a Level 5 felony if the person is at least 21 years of age and operated a vehicle with a blood alcohol content of at least 0.08 and causes the death of a law enforcement animal commits a Level 6 felony.

IC 7.1-5-7-10. (a) It is a Class C misdemeanor for a minor to recklessly be in a tavern, bar, or other public place where alcoholic beverages are sold, bartered, exchanged, given away, provided, or furnished. In addition to other penalties under this subsection, the minor’s driver’s license shall be revoked for up to one (1) year in accordance with IC 9-24-18-8 and IC 9-30-4-9. (b) It is a Class C misdemeanor for a parent to recklessly permit a minor to be in the prohibited place beyond a reasonable time in which an ordinary prudent person can check identification to confirm the age of a patron.

IC 35-46-1-8. A person who intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act of delinquency commits a Class A misdemeanor. A person who is at least 21 who intentionally furnishes an alcoholic beverage to a person whom s/he knew or reasonably should have known was less than 18 years of age

- Loss of personal freedom through imprisonment.
- Loss or delay of educational opportunities.
- Loss or reduction of income or savings as a result of legal representation and payment of fines and fees imposed by the court.
- Loss or delay of educational opportunities.
- Loss of employment.
- Loss of driving privileges.
and the consumption is the cause of the death of any person commits a Level 6 felony.

**Drug offenses**

9-30-5-1. A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person’s body commits a Level 5 felony. If the person has a previous conviction of operating while intoxicated within 5 years preceding the offense or knew that the person’s driving privilege is suspended or revoked for a previous conviction for operating a vehicle while intoxicated then the offense is a Level 4 felony. A person who operates a vehicle while intoxicated commits a Level 5 felony if the person is at least 21 years of age and operated a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person’s body commits a Level 4 felony. A person who operates a vehicle while intoxicated commits a Level 5 felony if the person is at least 21 years of age and operated a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person’s body and causes serious bodily injury commits a Level 6 felony.

IC 9-30-5-5. A person who causes the death of another person when operating a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person’s body commits a Level 5 felony. If the person has a previous conviction of operating while intoxicated within 5 years preceding the offense or knew that the person’s driving privilege is suspended or revoked for a previous conviction for operating a vehicle while intoxicated then the offense is a Level 4 felony. A person who operates a vehicle while intoxicated commits a Level 5 felony if the person is at least 21 years of age and operated a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person’s body commits a Level 4 felony. A person who operates a vehicle while intoxicated commits a Level 5 felony if the person is at least 21 years of age and operated a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person’s body and causes the death of a law enforcement animal commits a Level 6 felony.


IC 16-42-19-19. Except as provided in section 21 (IC 16-42-29-21) of this chapter, a person may not possess or use an anabolic steroid without a valid prescription or drug order issued by a practitioner acting in the usual course of the practitioners’ professional practice. Class D felony.

IC 35-46-1-8. A person who intentionally encourages, aids, induces, or causes a person less than eighteen (18) years of age to commit an act of delinquency commits a Class A misdemeanor. A person who is at least 21 who intentionally furnishes a controlled substance (as defined in IC 35-48-1-9) or a drug (as defined in IC 9-13-2-49.1) in violation of Indiana law to a person whom s/he knew or reasonably should have known was less than 18 years of age and the consumption is the cause of the death of any person commits a Level 6 felony.

IC 35-48-4-1. Deliver or possess with intent to deliver a narcotic drug or cocaine. Level 5 felony. Level 4 felony if at least 3 grams but less than 10 grams. Level 3 felony if at least 10 grams but less than 28 grams. Level 2 felony if more than 28 grams. Felony levels are increased if delivered to minor, on school bus or within 1,000 feet of school property, public park, family housing complex or youth program center.

IC 35-48-4-1.1. Manufacture, deliver, finance the manufacture or delivery, possess with intent to deliver of methamphetamine. Level 5 felony. Level 4 felony if at least 3 grams but less than 10 grams. Level 3 felony if at least 10 grams but less than 28 grams. Level 2 felony if more than 28 grams. Felony levels are increased if delivered to minor, on school bus or within 1,000 feet of school property, public park, family housing complex or youth program center.

IC 35-48-4-2. Manufacture, deliver, finance the manufacture or delivery, possess with intent to deliver a Schedule I, II, or III controlled substance except marijuana, hash oil, hashish, salvia, or a synthetic cannabinoid. Level 5 felony. Level 4 felony if at least 3 grams but less than 10 grams. Level 3 felony if at least 10 grams but less than 28 grams. Level 2 felony if more than 28 grams. Felony levels are increased if delivered to minor, on school bus or within 1,000 feet of school property, public park, family housing complex or youth program center.

IC 35-48-4-3. Manufacture, deliver, finance the manufacture or delivery, possess with intent to deliver a Schedule IV controlled substance. Level 5 felony. Level 4 felony if at least 3 grams but less than 10 grams. Level 3 felony if at least 10 grams but less than 28 grams. Level 2 felony if more than 28 grams. Felony levels are increased if delivered to minor, on school bus or within 1,000 feet of school property, public park, family housing complex or youth program center.

IC 35-48-4-4. Manufacture, deliver, finance the manufacture or delivery, possess with intent to deliver a Schedule V controlled substance. Class A misdemeanor. Level 5 felony if at least 3 grams but less than 10 grams. Level 5 felony if at least 10 grams but less than 28 grams. Level 4 felony if more than 28 grams. Felony levels are increased if delivered to minor, on school bus or within 1,000 feet of school property, public park, family housing complex or youth program center.

IC 35-48-4-4.1. Deliver or possess with intent to deliver a counterfeit substance. Level 6 felony.

IC 35-48-4-4.5. Manufacture, deliver, finance the delivery of a substance that is not a controlled substance or a prescription drug that is represented to be a controlled substance or is distributed under circumstances that would lead a reasonable person to believe that it is a controlled substance. Level 6 felony.

IC 35-48-4-4.6. Manufacture, deliver, finance the manufacture, advertise, distribute, or possess with intent to manufacture, finance the manufacture, advertise or distribute a substance that is not a controlled substance or a prescription drug that is represented to be a controlled substance or is distributed under circumstances that would lead a reasonable person to believe that it is a controlled substance. Level 5 felony. Possession of such a substance. Class C misdemeanor. Possession of a Class A misdemeanor if previous conviction under this section.

IC 35-48-4-4.5. Deliver or possess with intent to deliver a counterfeit substance. Level 6 felony.

IC 35-48-4-5. Possession of cocaine or narcotic drug. Level 6 felony. Level 5 felony if at least 3 grams but less than 10 grams. Level 4 felony if at least 10 grams but less than 28 grams. Level 3 felony if more than 28 grams. Felony levels are increased if delivered to minor, on school bus or within 1,000 feet of school property, public park, family housing complex or youth program center.

IC 35-48-4-6. Possession of cocaine or narcotic drug. Level 6 felony. Level 5 felony if at least 3 grams but less than 10 grams. Level 4 felony if at least 10 grams but less than 28 grams. Level 3 felony if more than 28 grams. Felony levels are increased if delivered to minor, on school bus or within 1,000 feet of school property, public park, family housing complex or youth program center.

IC 35-48-4-7. Possession of schedule I, II, III, IV (except marijuana, hashish, salvia, or a synthetic cannabinoid). Class A misdemeanor. Level 6 felony if on school bus or within 1,000 feet of school property, public park, family housing complex or youth program center. Possession of more than 4 ounces of schedule V controlled substance containing codeine in a 48-hour period without a valid prescription or obtains a schedule V controlled substance by misrepresentation. Class A misdemeanor.

IC 35-48-4-8.1. Manufacture or design of paraphernalia. Class A infraction. Level 6 felony if second or subsequent offense. Possession of such a substance. Class C misdemeanor.

IC 35-48-4-8.3. Possession of paraphernalia. Class A infraction. If possession is knowing or intentional, then Class A misdemeanor. Level 6 felony if second or subsequent offense for knowingly or intentionally possessing.

IC 35-48-4-8.5. Dealing in paraphernalia. Keeps for sale or delivers paraphernalia. Class A infraction. If possession is knowing or intentional, then Class A misdemeanor. Level 6 felony if second or subsequent offense for knowingly or intentionally possessing.

IC 35-48-4-10. Manufacture, deliver, finance the manufacture or delivery, possess with intent to deliver marijuana, hash oil, hashish, salvia, or a synthetic cannabinoid. Class A misdemeanor. Level 6 felony if prior drug offense conviction and in possession of less than 30 grams of marijuana or less than 2 grams of hash oil, hashish or salvia. Level 5 felony if prior conviction and more than 30 grams but less than 10 lbs.
of marijuana or more than 2 grams but less than 300 grams of hash oil, hashish or salvia or if prior conviction of this offense. Level 5 felony if at least 10 lbs of marijuana at least 300 grams of hash oil, hashish or salvia or if sell to minor.

IC 35-48-4-10.5. Manufacture, deliver, finance the manufacture or delivery, possess with intent to deliver synthetic drug or synthetic look-alike drug. Class A infraction. Class A misdemeanor if knowing or intentional manufacture, deliver, finance the manufacture or delivery, possess with intent to deliver synthetic drug or synthetic look-alike drug. Class D felony if sell to minor, amount is more than 2 grams or if prior conviction of this offense. Class C felony if more than 2 grams and on school bus or within 500 feet of school property or public park while minor is reasonably expected to be present.

IC 35-48-4-11. Knowing or intentional possession of marijuana, hash oil, hashish, salvia or synthetic drug. Class B misdemeanor. Class A misdemeanor if prior drug offense. Level 6 felony if prior drug offense and possesses at least 30 grams of marijuana or at least 2 grams of hash oil, hashish, salvia or synthetic drug.

IC 35-48-4-11.5. Possession of synthetic drug or synthetic drug lookalike substance. Class B infraction. Class A misdemeanor if possession is knowing or intentional. Class D felony if person has prior conviction under this section or under 35-48-4-10.5.

IC 35-48-4-13. Visiting or maintaining a common nuisance. Class B misdemeanor knowingly or intentionally visit home, building, structure or vehicle or other place to unlawfully use a controlled substance. Level 6 felony to knowingly or intentionally maintain a building, structure, vehicle, or other place that is used one (1) or more times to manufacture, keep, offer for sale, sell, deliver or finance the delivery of controlled substance or drug paraphernalia.

IC 35-48-4-13.5. Level 6 felony to possess more than 10 grams ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated. Level 5 felony if possess with firearm or more than 10 grams within 500 feet of school property or public park while minors are reasonably expected to be present. Level 6 felony to manufacture methamphetamine or amphetamine. Level 5 felony if possess with firearm or within 500 feet of school property or public park while minors are reasonably expected to be present. Level 6 felony to possess 2 or more chemical reagents or precursors (as defined by statute) with the intent to manufacture a controlled substance. Level 5 felony if possessed with firearm or within 500 feet of school property or public park while minors are reasonably expected to be present. Level 6 felony to sell, transfer, distribute or furnish chemical reagent or precursor (as defined by statute) to another person with knowledge or intent to manufacture a controlled substance.

Habitual Substance Offender.
Can add 3-8 years to sentence if convicted. If the person has 2 prior substance convictions, at least Class A misdemeanor level that occurred prior to the new charge.
Cannabis

The following drugs are derived from the leaves and flowering tops of the cannabis sativa plant.

Marijuana resembles coarsely ground thyme, oregano or dried parsley mixed with stems and seeds.

Trade/other names: pot, weed, reefer, dope, Ganja, Thai sticks, Sinsemilla, grass.

Schedule: I. Medical use: none. Physical dependence: not clearly understood. Psychological dependence: moderate, though results from recent studies indicate that long-term use of marijuana can be as detrimental to the user as any other substance abuse. Tolerance: currently unknown; in fact, reverse tolerance could occur with repeated use. Methods of use: smoked or eaten. Duration of effects: estimated at 2-4 hours but can vary depending on the concentration of delta-9-tetrahydrocannabinol (THC), the major psychoactive ingredient in marijuana, and the prior history of use by the individual.

Tetrahydrocannabinol.

Trade/other names: THC, Marinol. Schedule: I (THC), II (Marinol).

Medical use: Marinol has use in relieving nausea resulting from cancer chemotherapy; THC may be useful in the treatment of glaucoma. Physical dependence: unknown. Psychological dependence: moderate. Tolerance: no. Methods of use: smoked or oral. Duration of effects: estimated at 2-4 hours.

Hashish or hash oil: two additional forms of marijuana. Hashish resembles brown or black cakes or balls. Hash oil is a concentrated syrup varying in color from clear to black.

Trade/other names: hashish, kf, hash oil.

Schedule: I. Medical use: none. Physical dependence: unknown. Psychological dependence: moderate. Methods of use: smoked, oral. Duration of effects: estimated at 2-4 hours but can vary depending on the concentration of delta-9-THC. Possible effects: euphoria, relaxed inhibitions, increased appetite, disoriented behavior, decreased concentration or coordination resulting in the reduced ability to perform tasks such as driving a car, lowered retention of information. Overdose effects: fatigue, paranoia, possible psychosis. Withdrawal symptoms: insomnia, hyperactivity and decreased appetite.

Cocaine

Cocaine is a central nervous system stimulant extracted from the leaves of the coca plant.

Trade/other names: snow, blow, coke, flake, nose candy, white lady, crack, powder.


Stimulants, other than cocaine

These generally come in the form of pills, tablets, capsules and liquid. Trade/other names: amphetamine — Benzedrine, Dexedrine, Biphetamine; methamphetamine — Desoxyn, Mediatic; phenmetrazine — Preludin; methylphenidate — Ritalin. Additional trade names: Didrex, Presare, Tenuate, Tepanil, Pondimin, Sanorex, Plegine, Cylert. Street names: amphetamine — speed, uppers, black beauties, pep pills, co-pilots, hearts; methamphetamine — crank, crystal meth, methedrine, ice. Schedule: amphetamine, II; phenmetrazine, II; methylphenidate, II; methamphetamine, II; other stimulants, III and IV.

Medical use: hyperkinesis, narcolepsy, weight control. Physical dependence: no. Psychological dependence: moderate to high. Tolerance: yes. Methods of use: orally, injected or inhaled. Duration of effects: estimated at 2-4 hours. Possible effects: increased heart and respiratory rates, elevated blood pressure, euphoria, insomnia, dizziness, headache, blurred vision, loss of appetite. High doses could result in irregular heartbeat, tremors, loss of coordination, physical collapse. Overdose effects: agitation, higher body temperatures, hallucinations, paranoia, convulsions, possible death. Withdrawal symptoms: apathy, long periods of sleep, irritability, depression, disorientation.

Depressants, other than alcohol

Chloral hydrate.


Barbiturates.

Trade/other names: Phenobarbital, Tuinal, Amytal, Nembutal, Seconal. Street names: red devils, yellow jackets, downers, blue devils, barbs. Schedule: II, III and IV.


Benzodiazepines.


Glutethimide.


Other depressants.


Narcotic analgesics

These are derived from Papaver Somniferum (poppy plant) and look like dark brown chunks or powder.

Opium.


Methods of use: oral or injected.
Duration of effects: three to six hours.

■ Codeine is produced from morphine and comes in the form of tablets, capsules and dark liquid. Trade/other names: Tylenol with codeine, Naldecon, Empirin compound with codeine, Robitussin A-C. Schedule: III, IV, V. Medical use: analgesic and antitussive.
Physical dependence: moderate to high.
Psychological dependence: moderate to high.
Tolerance: yes.
Methods of use: oral or injected. Duration of effects: 3-6 hours.


■ Methadone, also a synthetic opiate. Trade/other names: Dolophine, methadone.


Possible effects: euphoria, drowsiness, nausea, constricted pupils and respiratory depression. Overdose effects: slow and shallow breathing, clammy skin, convulsions, coma and possible death. Withdrawal symptoms: watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, chills, sweating, cramps and nausea.

Hallucinogens

Hallucinogens encompass substances that occur in nature and those that are man-made. Designer drugs are developed by underground chemists in clandestine laboratories by modifying the molecular structure of other substances.

■ LSD (lysergic acid diethylamide). Trade/other names: LSD, acid, microdot, green or red dragon, white lightning, sugar cubes, blue heaven and windowpane. Schedule: I. Medical use: none.

Physical dependence: none. Psychological dependence: unknown. Tolerance: unknown. Methods of use: oral (Users often apply a solution of LSD to various types of paper products to hide the fact that they possess the drug.). Duration of effects: 8-12 hours.


■ Amphetamine variants are usually analogs of certain controlled substances. Trade or other names: MDMA (also known as ecstasy, adam, XTC, essence), STP, PMA, 2, 5-DMA, TMA, DOM and DOB. Schedule: I. Medical use: none. Physical dependence: unknown. Psychological dependence: unknown. Tolerance: unknown. Methods of use: oral or injected. Duration of effects: variable.


■ Other hallucinogens.