

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcoholic beverages on campus or as any part of the College's activities unless it is done so in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

The College enforces Federal and State drug laws. The possession, sale, manufacture, or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or Federal and State laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Federal Drug Laws

Denial of Federal Benefits ([21 U.S.C. § 862](#)) A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

Forfeiture of Personal Property and Real Estate ([21 U.S.C. § 853](#)) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties ([21 U.S.C. § 841](#)) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university ([21 U.S.C. § 860](#)) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties ([21 U.S.C. § 844](#)) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

*For the most recent and complete Federal Trafficking Penalties information, visit the website of the [U.S. Drug Enforcement Administration](#).

Drug and Alcohol State Laws (Colorado)

Category	Summary (Colorado Revised Statutes)
Possession of Marijuana	<p>Possessing, using, displaying, purchasing, or transporting marijuana accessories or 1 ounce or less of marijuana is legal in the state of Colorado. <i>See</i> Colo. Const. Art. XVIII, Section 16. A person under 21 years of age who possesses two ounces or less of marijuana or consumes marijuana anywhere in the state of Colorado commits illegal possession or consumption of marijuana by an underage person. <i>See</i> C.R.S.A. § 18-13-122. For the first offense, the underage person must pay a fine of up to \$100 and/or complete a substance abuse education program approved by the office of behavioral health in the department of human services. <i>Id.</i> As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase. <i>Id.</i> Penalties also increase with subsequent offenses. <i>Id.</i></p>
Controlled Substances	<p>Colorado statutes cover offenses and varying penalties related to unlawful possession, use, and distribution of controlled substances and materials (“precursor drugs”) used to make controlled substances. <i>See</i> C.R.S.A. §§ 18-18-401 – 18-18-433. Penalties vary widely based on whether the individual intended to manufacture, sell, or use the drug. <i>See</i> C.R.S.A. § 18-1.3-401.5.</p> <p>Any person who uses any controlled substance (other than marijuana or natural medicine products, such as psilocybin), except when it is dispensed by or under the direction of a person licensed or authorized by law to prescribe, administer, or dispense the controlled substance for bona fide medical needs, commits a level 2 drug misdemeanor. <i>See</i> C.R.S.A. § 18-18-404; C.R.S.A. § 18-18-434. A person who commits a felony drug offense is considered a “special offender” and subject to heightened penalties if they, as part of the offense: engaged in a drug conspiracy or continuing criminal enterprise; imported into the state more than 14 grams of any Schedule I or II controlled substance; more than 7 grams of methamphetamine, heroin, ketamine, or cathinones; 10 milligrams of flunitrazepam, or any material, compound, mixture, or preparation that weighs more than 4 grams and contains fentanyl, carfentanil, or benzimidazole opiate; used, displayed, or possessed a deadly weapon or firearm; used a minor as his or her agent; earned a substantial source of their income from manufacturing, sale, dispensing, or distributing controlled substances, and in which that person manifested special skill or expertise; or distributed, manufactured, or attempted to manufacture any controlled substance near a school or public housing development, or in any school vehicle while the vehicle is engaged in the transportation of persons who are students. <i>See</i> C.R.S.A. § 18-18-407.</p> <p>As an example, a person who possesses nonprescription drugs (i.e., pseudoephedrine) with the intent to manufacture any controlled substance is guilty of a level 2 drug felony. C.R.S.A. § 18-18-412.5. This offense has a presumptive range of 4 to 8 years of imprisonment and/or a fine between \$3,000 and \$750,000. <i>Id.</i></p> <p>It is illegal for persons under twenty-one years of age to knowingly possess or consume nature medicine or natural medicine product (e.g., dimethyltryptamine or psilocybin). C.R.S.A. § 18-18-434. This is a drug petty offense and will result in a fine of up to \$100 or up to four hours of substance use education. <i>Id.</i> Subsequent convictions come with the same fine and education penalties, as well as up to twenty-four hours of useful public service. <i>Id.</i> Additionally, it is illegal for any person to openly and publicly display or consume nature medicine or natural medicine product. <i>Id.</i> This is also a drug petty offense and will result in a fine of up to \$100 and up to twenty-four hours of useful public service. <i>Id.</i></p>
Alcohol and Minors	<p>It is illegal for any person under twenty-one years of age to consume or be in possession of ethyl alcohol. C.R.S.A. § 18-13-122. Courts can impose penalties such as fines, community service, and/or alcohol education/treatment. <i>Id.</i></p> <p>It is also unlawful for any person to sell, serve, give, or deliver alcohol to any person under age 21. <i>See</i> C.R.S.A. § 44-3-901. A parent or legal guardian of a person under 21 may give or permit the possession and consumption of alcohol by a person under 21 in their presence and on private property. <i>See</i> C.R.S.A. § 18-13-122.</p>

Category	Summary (Colorado Revised Statutes)
	<p>It is unlawful for a person under the age of twenty-one years to obtain or attempt to obtain any alcohol beverage by misrepresentation of age or by any other method in any place where alcoholic beverages are sold. <i>See</i> C.R.S.A. § 44-3-901.</p>
<p>Driving Under the Influence (DUI)</p>	<p>A person who drives a motor vehicle or other vehicle under the influence of alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, commits the offense of driving under the influence. <i>See</i> C.R.S.A. § 42-4-1301. Driving “under the influence” means driving with a blood alcohol content of 0.08 percent or more or driving while the alcohol and/or drugs affects the person to a degree that the person is substantially incapable to exercise clear judgment, sufficient physical control, or due care in the safe operation of a vehicle. <i>Id.</i> Driving under the influence is a misdemeanor, but it is a class 4 felony if the violation occurred after three or more prior convictions, from distinct criminal episodes, for DUI, DUI per se, DWAI, vehicular homicide, or vehicular assault. <i>Id.</i> A driver who doesn’t have a blood alcohol over 0.08 percent can still be charged with driving while ability impaired (“DWAI”). <i>Id.</i></p> <p>It is a class A traffic infraction for any person under 21 years of age to drive a vehicle when the person’s blood alcohol concentration is at least 0.02 but not more than 0.05. <i>Id.</i> A subsequent violation while under 21 years old results in a class 2 traffic misdemeanor. <i>Id.</i></p>