

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 (South Carolina)

Category	Summary (Code of Laws of South Carolina)
Possession of Marijuana	It is illegal for any person to possess any amount of marijuana. See S.C. Code Ann. § 44-53-370(d)(5) Possessing 1 ounce or less of marijuana is a misdemeanor punishable by imprisonment for no longer than 30 days or fine not less than \$100 and not more than \$200. <i>Id.</i> . Mandatory attendance in a drug abuse program may be included as part of a sentence. <i>Id.</i> However, a first-time offender may be allowed to participate in a pretrial diversion program. <i>Id.</i> Second and subsequent offenses are punishable by up to a year in prison or a fine more than \$200 but less than \$1,000, or both. <i>Id.</i> Possession of more than 1 ounce of marijuana is a felony, and a first offense is punishable by imprisonment for up to 5 years, a fine not to exceed \$5,000, or both. S.C. Code Ann. §§ 44-53-370(a)(1)-(2), 44-53-370(d)(5).
Controlled Substances	South Carolina statutes provide five Schedules of controlled substances. See S.C. Code Ann. §§ 44-53-190 – 44-53-270. The penalties for manufacture, distribution, or possession of a controlled substance vary depending on the classification of the drug in question but include imprisonment and monetary fines. See S.C. Code Ann. § 44-53-370. For example, a conviction for the possession of LSD results in up to two years in prison and a fine up to \$5,000. Conviction for possession of less than one gram of cocaine results in a prison sentence of up to three years, and a fine up to \$5,000. <i>Id.</i> Trafficking controlled substances into the state is punishable by severe monetary fines and mandatory prison sentences that cannot be suspended or reduced. See § S.C. Code Ann. § 44-53-370(e). Manufacture, purchase, distribution, or possession within a half-mile radius of a school, playground, or park is a separate offense with additional penalties. S.C. Code Ann. § 44-53-445(a). Purchase alone within that zone is a misdemeanor and leads to a fine of up to \$1,000 and imprisonment up to one year. <i>Id.</i>
Alcohol & Minors	It is illegal for a person under the age of 21 to purchase, attempt to purchase, possess, or consume alcoholic beverages. See S.C. Code Ann. §§ 63-19-2440(A), 63-19-2450(A). A person who violates this law commits a misdemeanor and must be fined not less than \$100 but no more than \$200, or must be imprisoned for up to 30 days, or both. S.C. Code Ann. §§ 63-19-2440(A), 63-19-2450(B). An offender must also participate in an 8-hour alcohol education or intervention class. S.C. Code Ann. §§ 63-19-2440(B), 63-19-2450(C). A person under the age of 21 can possess and consume alcohol in his parents' or legal guardians' home and during religious services. S.C. Code Ann. § 63-19-2460.
Driving Under the Influence (DUI)	<p>It is illegal for a person to drive a vehicle with a blood alcohol concentration of 0.08% or more or while otherwise under the influence of alcohol, drugs, or a combination of both. S.C. Code Ann. §§ 56-5-2930(A), 56-5-2933(A).</p> <p>For a person's first offense with a blood alcohol concentration greater than 0.08% but less than 0.10%, the penalty is a \$400 fine or imprisonment not less than 48 hours or more than 30 days. S.C. Code Ann. §§ 56-5-2930(A)(1), 56-5-2933(A)(1). However, the court may substitute 48 hours of community service in lieu of the minimum jail sentence. S.C. Code Ann. §§ 56-5-2930(A)(1), 56-5-2933(A)(1). For a first offense with a blood alcohol concentration of at least 0.10% but less than 0.16%, the penalty is a \$500 fine or imprisonment not less than 72 hours which may be replaced by community service. S.C. Code Ann. §§ 56-5-2930(A)(1), 56-5-2933(A)(1). First offenses with a blood alcohol concentration greater than 0.16% are punishable by a \$1,000 fine or at least 30 days jails but no more than 90 days which may be replaced by community service. S.C. Code Ann. §§ 56-5-2930(A)(1), 56-5-2933(A)(1). Subsequent offenses are punishable by increasingly severe imprisonment terms and monetary fines. See S.C. Code Ann. §§ 56-5-2930(A)(2)-(4), 56-5-2933(A)(2)-(4).</p> <p>A person convicted for a first or subsequent DUI must complete an Alcohol and Drug Safety Action Program. S.C. Code Ann. §§56-5-2930(H), 56-5-2933(H).</p>