

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 (Virginia)

Category	Summary (Virginia Code)
Possession of Marijuana	<p>Possession of up to one ounce of marijuana is permitted for adults 21 years of age and older. <i>See</i> VA Code Ann. § 4.1-1100. Possession of more than one ounce but less than four ounces of marijuana is a civil penalty with a maximum fine of \$25. <i>Id.</i> Possession in public of more than four ounces of marijuana will result in increasing penalties. For example, possession of more than one pound of marijuana in public is a felony punishable by one to 10 years in prison and/or a fine of up to \$250,000. <i>Id.</i> Additionally, no person shall consume or offer marijuana to another in a public place. <i>See</i> VA Code Ann. § 4.1-1108. For a first offense, offender is subject to a civil penalty of no more than \$25. <i>Id.</i> Second and subsequent offenses may result in required substance abuse treatment and/or education and may receive greater penalties. <i>Id.</i> Except as authorized in the Drug Control Act, it is unlawful for a person to sell, give, distribute, or possess with intent to sell, give, or distribute marijuana. <i>See</i> Va. Code Ann. § 18.2-248.1. There is a rebuttable presumption, however, that marijuana in an amount less than one ounce is for the personal use of the person who possesses it. <i>See id.</i> Otherwise, the sale or possession of marijuana in an amount of up to one ounce is a class 1 misdemeanor. <i>Id.</i> The sale or possession of marijuana with an intent to distribute in an amount more than one ounce but less than five pounds is guilty of a Class 5 felony, and possession in an amount greater than five pounds is a felony. <i>Id.</i> Third and subsequent felony offenses receive greater penalties. <i>Id.</i></p>
Controlled Substances	<p>Virginia statutes cover a wide range of offenses related to controlled substances. <i>See generally</i> Va. Code Ann. §§ 18.2-247 – 18.2-264. It is unlawful for any person knowingly or intentionally to possess a controlled substance without a valid prescription, unless an exception applies. <i>See</i> Va. Code Ann. § 18.2-250. Penalties for the possession and delivery of illegal drugs include prison sentences and monetary fines and vary widely by the type of drug, amount confiscated, the number of previous offenses by the individual, and whether the individual intended to manufacture, sell, or use the drug. <i>See id.</i> Distribution of certain drugs to persons under 18 and sale or manufacture of drugs on or near certain properties, including institutions of higher education, carry enhanced penalties. <i>See</i> Va. Code Ann. § 18.2-255 and Va. Code Ann. § 18.2-255.2.</p> <p>As an example, any person who knowingly manufactures, sells, gives, or distributes any anabolic steroid may be sentenced to a term of imprisonment from 1 to 10 years and/or a fine of up to \$20,000. <i>See</i> Va. Code Ann. § 18.2-248.5.</p> <p>In addition, any person who sells or possesses with intent to sell drug paraphernalia shall be guilty of a class 1 misdemeanor, with jail time up to 12 months and fines up to \$2,500. <i>See</i> Va. Code Ann. §§ 18.2-265.3, 18.2-11.</p>
Alcohol and Minors	<p>No person under the age of 21 may lawfully consume, purchase, or possess any alcoholic beverage unless in a private residence where he or she is accompanied by a parent/guardian or spouse who is 21 years of age or older. <i>See</i> Va. Code Ann. § 4.1-305; § 4.1-200. Use of an altered, fictitious, facsimile, or simulated form of identification to establish a false age in order to purchase or consume alcohol is unlawful. Va. Code Ann. § 4.1-305. Both of these offenses constitute Class 1 misdemeanors and are punishable by a minimum fine of \$500 or at least 50 hours of community service, as well as a license suspension between 6 months and 1 year (depending on the age of the offender). <i>Id.</i></p> <p>Any person other than a parent who purchases for, or otherwise gives, provides, or assists in the provision of alcoholic beverages to another person, when he knows or has reason to know that such person was less than 21 years of age is guilty of a Class 1 misdemeanor. In addition to other applicable penalties, this offense carries a driver's license suspension of up to 1 year. <i>See</i> Va. Code Ann. § 4.1-306.</p>
Driving While Intoxicated (DWI)	<p>A person is guilty of driving while intoxicated if they have a blood or breath alcohol concentration of 0.08 grams. <i>See</i> Va. Code Ann. § 18.2-266. The offender will be guilty of a Class 1 misdemeanor with a mandatory minimum fine of \$250. <i>See</i> Va. Code Ann. § 18.2-270. The offender will be required to have a vehicle interlock system for no less than 6 consecutive months without alcohol-related violations. <i>See</i> Va. Code Ann. § 18.2-270.1. The offender's license may also be suspended for 1 year. <i>See</i> Va. Code Ann. § 18.2-271</p>