
2020 Annual Notification: The Drug-Free Schools and Communities Act

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**RIDER**
UNIVERSITY**2020 Annual Notification: The Drug-Free Schools and Communities Act**

Dear Students, Faculty & Staff,

Rider University annually distributes information about alcohol and drug policy, treatment resources, health and legal consequences related to the use of various substances, and related information to all community members consistent with this commitment, and in accordance with the federal "Drug Free Schools and Communities Act Amendment of 1989." We are required to annually notify students and employees about existing laws and college policies governing alcohol and illegal drugs, health risks associated with use and abuse, counseling and treatment services available, and the penalties for violating the law and college policy. Please review the information found in the below email and reach out to myself if you have any questions.

Below you will find information containing RIDER UNIVERSITY's 2019 Annual Notification: The Drug-Free Schools and Communities Act [EDGAR Part 86]

Rider University is an academic community that places as paramount the health and safety of its members. To that end, Rider prohibits the illicit possession and/or use of drugs and alcohol.

In compliance with the annual notification required by the *Drug Free School and Communities Act*, the following University standards of conduct, sanctions for violations, state and federal laws, a section related to health risks associated with abuse and misuse of alcohol and drugs, along with treatment programs for drug and alcohol use are provided.

Rider's Alcohol and Drug policies can be viewed in their entirety below:

<https://www.rider.edu/offices-services/community-standards/student-code-social-conduct>

NOTE: *Students should be aware that federal law dictates that conviction in criminal court for certain controlled substance offenses including drug possession and/or sale may make them declared ineligible for Federal Financial Aid for a period of time. See the Financial Aid Office for details

FROM PAGE 5 of "THE STUDENT CODE OF CONDUCT"

The use of drugs or alcoholic beverages shall not in any way create a justification or limit the responsibility of the individual for the consequences of his or her actions.

FROM PAGE 6 of "THE STUDENT CODE OF CONDUCT"

Campus is dry during semester breaks. Alcohol is prohibited during these times.

Rider does not tolerate the use or possession of any illegal substance on its campuses

Health/Drugs and Abuse – The freedom and well-being of the community rests in the control exercised by each of its members. Abuse or loss of control endangers the freedom of the community and the health of the individual.

The following are prohibited by this section:

5.1 Intended or Actual Making, Selling and/or Distribution of Illegal Substances – Making, growing, distributing, sharing, or selling illegal or synthetic substances (as defined by New Jersey statutes) and/or the possession of illegal or synthetic substances with the intent to make, distribute, share or sell such substances. (Consequences at level 1).

5.2 Unauthorized Possession and/or Use of Harmful and/or Illegal Substances – Unauthorized possession, use, or knowingly being in the presence of inhalants, illegal drugs, designer drugs labeled as bath salts, or narcotics (including but not limited to marijuana, LSD, Ecstasy, GHB, or any other illegal substance as defined by SECTION I: CODE OF CONDUCT 13 either state or federal statute). Possession or use of prescription drugs belonging to another. Also, being under the influence of any such substance while in a public place. Note: Although New Jersey state law permits the use and/or cultivation of medical marijuana in limited circumstances, federal laws prohibit such use, possession, and/or cultivation. Accordingly, the use, possession, and/or cultivation of marijuana (medical or otherwise) is a violation of this section. (Consequences may range from levels 1 to 3).

5.3 Possession of Drug Paraphernalia Intended for Use with Illegal Drugs – Possession of drug paraphernalia (including bongos, pipes, filters, cigar blunts, etc.) on University premises for the purpose of using such items with illegal or synthetic substances. (Consequences may range from levels 1 to 3.)

Alcohol Policy: Pages 14 – 17 STUDENT CODE OF SOCIAL CONDUCT | 2020-21

Rider University believes that individual responsibility is extremely important in social choices. Substance abuse is prevalent on college campuses today and often hinders community members' ability to lead lives of productive work, enlightened living and community involvement. The University policy regarding alcohol and other drugs provides penalties for abuses but places major responsibility on the student for responsible decision making. The policies and Code of Conduct governing the use of alcohol and other drugs apply to all Rider students and their guests. The primary responsibility for knowing and abiding by the provisions of the University's policies rests with the individual student. Rider's alcohol policy prohibits:

- a. the consumption, possession and/or purchase of alcoholic beverages by any person under 21 years of age;
- b. being in the presence of alcoholic beverages (consumed or possessed) by any person under 21 years of age (underage individual) other than in the Rider Pub or other licensed facility or approved event;
 - » When an underage individual knowingly is in the presence of alcohol (consumed or possessed) other than in the Rider Pub or other licensed facility or event, the University expects him or her to do one or more of the following: remove himself or herself from the situation immediately, ask the individual(s) with the alcohol to leave or dispose of the alcohol, or notify University staff;
 - » The only exception is when an underage student resides in the same private living unit or Greek house room with a student who is 21 years of age or older (of age student). The underage student may knowingly be in the presence of alcohol (consumed or possessed) by the of age student in the shared private living unit or Greek house room provided the underage and of age students comply with items (a) through (s) of this Alcohol Policy AND provided that no one else, students or guests, aside from the underage roommate, are present in the shared private living unit or Greek house room at the time the alcohol is being consumed by the of age student.
- c. transporting, in vehicles or otherwise, alcoholic beverages by persons under 21 years of age;
- d. the sale or distribution of alcoholic beverages to anyone under 21 years of age;
- e. the presence of containers of alcoholic beverages, empty or otherwise, in private living units or Greek house rooms occupied by residents that are all under 21 years of age.
- f. the sale or advertisement of sale of alcoholic beverages on campus without a license or special permit issued by the State of New Jersey Alcoholic Beverage Control Commission or unless written authorization is obtained from the Dean of Students or his/her designee;
- g. promotions and/or public displays referring to or promoting the use of alcoholic beverages;
- h. public intoxication;
- i. binge drinking and/or otherwise encouraging, supporting, or permitting the rapid or excessive consumption of alcohol;
- j. the organization of, and/or attendance at social events or parties in residence halls or at Greek houses where alcoholic beverages are served or consumed. This includes, but is not limited to, social, ceremonial, rush, initiation,

or new member events of Greek or other student organizations or groups. Social events where alcoholic beverages are served may occur at other campus locations provided prior written authorization for the event is obtained from the Dean of Students or her/his designee;

k. coercing or encouraging another to consume alcoholic beverages against their will;

l. the organization of, and/or participation in, drinking games involving consumption of alcohol;

m. possessing, using, and/or transporting beer balls, kegs and/or other containers of alcohol intended for group consumption; and n. possessing and/or using devices or engaging in activities designed for group and/or excessive consumption of alcoholic beverages including, but not limited to: energy drinks containing alcohol, bars, punch bowls, beer pong, funnels, alcohol related collections (bottles, cans, shot glasses), and/or ice shot blocks.

Prohibitions for Students of Legal Drinking Age

(students of 21 years of age and older)

A student who is 21 years of age or older (of age student) may consume alcoholic beverages responsibly in the Rider Pub or other licensed facility or approved event provided the student complies with items (a) through (n) above of this Alcohol Policy.

Of age students may also consume alcoholic beverages responsibly in their private living units or Greek house rooms provided they comply with items (a) through (n) above of this Alcohol Policy, along with the following conditions:

o. all other individuals present in the room are 21 years of age or older AND the number of individuals in the room does not pose a health or safety risk;

» The only exception is when an of age student resides in the same private living unit or Greek house room with a student who is under 21 years of age (underage student). The of age student may possess or consume alcohol in the shared private living unit or Greek house room provided the underage and of age students comply with items (a) through (s) of this Alcohol Policy AND provided that no one else, students or guests, aside from the underage roommate are present in the shared private living unit or Greek house room at the time the alcohol is being consumed by the of age student.

p. the private living unit room or Greek house exterior room door remains closed during the periods alcohol is being consumed;

q. the occupants of the room where alcohol is being consumed assume responsibility for adherence to University regulations for themselves and for their guests;

r. excessive noise must not emanate from private living unit or Greek house rooms; and

s. transporting open containers of alcoholic beverages or the consumption of alcoholic beverages in hallways, foyers, basements, lounges, stairwells, bathrooms or other public areas on campus is prohibited unless written authorization is obtained from the Dean of Students or his/her designee.

Tier 1 — Possession and/or non-abusive consumption of alcoholic beverages

First violation: Parental notification, \$110 fine, mandatory alcohol education program, community restitution.

Second violation: Parental notification, \$210 fine, further mandatory alcohol education, community restitution, and a warning that a further violation will result in loss of campus driving privileges.

Third violation: Parental notification, \$310 fine, either mandatory alcohol education or consultation, as appropriate, and one month loss of campus driving privileges. Sanctions may also include suspension from participation in social/recreational events for a specified period of time, removal from campus housing, and/or other relevant sanctions, not to include dismissal from the University.

Fourth or more violations: Parental notification, \$310 fine, mandatory alcohol consultation, and loss of campus driving privileges for three months. Sanctions may also include suspension from participation in social/recreational events for a specified period of time, removal from campus housing, dismissal from the University, and/or other relevant sanctions.

Tier 2 — Abusive or high risk consumption of alcoholic beverages

First violation: Parental notification, \$210 fine, mandatory alcohol education,

community restitution, and a warning that a further violation will result in loss of campus driving privileges.

Second violation: Parental notification, \$310 fine, mandatory alcohol consultation, one month loss of driving privileges.

Third violation: Parental notification, \$310 fine, mandatory alcohol education or consultation, as appropriate, and loss of campus driving privileges for three months. Sanctions may also include suspension from participation in social/recreational events for a specified period of time, removal from campus housing, and/or other relevant sanctions.

Fourth and more violations: Parental notification, \$310 fine, mandatory alcohol consultation, and loss of campus driving privileges for one year. Sanctions may also include suspension from participation in social/recreational events for a specified period of time, removal from campus housing, and/or other relevant sanctions up to and including dismissal from the University.

IMPORTANT NOTE: The University recognizes the right of law enforcement agencies to enforce their regulations on the Rider campus in the same manner as they do in the community beyond the campus (i.e., to execute search and arrest warrants, etc.) Students are urged to become aware of the laws regarding the illegal use of alcohol and drugs and to consider carefully the ramifications of violating these laws. For example, the legal age for Possession/Consumption of alcohol in New Jersey is 21 years of age. Even the most minor drug and alcohol criminal offenses typically carry a six-month minimum driver's license suspension, \$500 fine and 100 hours of community service. A more complete listing of New Jersey drug and alcohol laws is available on the Rider University web site, rider.edu.

Notes:

1. A determination of whether an alcohol related incident is Tier 1 or Tier 2 in nature rests with the appropriate hearing officer. The sanction imposed for each violation shall be based upon the existence of a prior alcohol related disciplinary record as well as the nature of the most recent alcohol related incident.
2. Failure to attend mandatory alcohol education or consultation will result in an additional \$200 fine in addition to completion of original sanctions imposed. In addition, students who fail to attend cannot course select, participate in room selection, or request a transcript until their attendance is completed.
3. A \$10 additional fee will be assessed to each student found to be responsible for an alcohol violation. The fee will cover additional costs such as postage and educational material.
4. A student who disagrees with the determination of first or second violations in either the non-abusive or abusive category may appeal to the Community Standards Board. A student who disagrees with the determination of third or more violations in either category may appeal to the University Appeals Council.
5. This Policy does not supplant or supersede federal, state or local laws governing alcohol possession and consumption. Strict compliance with all such laws shall be the responsibility of all Rider students. Violators of any federal, state, or local law shall be subject to fines and/or penalties by the appropriate court, board or agency with jurisdiction over the offense as well as an action taken by Rider University.
6. Students found to be providing alcohol to underage students may also be issued additional sanctions including, but not limited to, loss of housing and dismissal from the University. Groups or organizations, including Greek chapters, found to be providing alcohol to underage students may risk withdrawal of recognition by the University

Smoking Policy: Page 18 STUDENT CODE OF SOCIAL CONDUCT | 2020-21

In compliance with both University policy and New Jersey State law (N.J.S.A. 26:3D-17), smoking or ignition of any tobacco or other product or substance, including vaping and electronic smoking devices of any kind, is prohibited in all buildings on campus, including but not limited to classroom buildings, administrative office buildings, the Bart Luedeke Student Center (including The Pub), SECTION I: CODE OF CONDUCT 19 dining facilities, residence halls and Greek houses. In addition, smoking is prohibited within 25 feet of all building entrances, within 25 feet of operable first floor windows, and within 25 feet of any building louvers or grilles providing outside air intake for equipment. Students are responsible for ensuring that their guests comply with this policy in accordance with Rider University's guest policy. (Consequences may range from levels 2 to 4). Refer to page 36 for additional information.

Included in this email is information about Alcohol & Other Drug Health Risks; Available on & Off Campus Resources and information about applicable Legal Sanctions under federal, state, and local laws for the unlawful possession or distribution of illicit drugs and alcohol. The College understands that students make their own choices about AOD. However, any person who violates state or federal law, or College policy, is responsible for their own actions and may be subject to civil or criminal complaints – in addition to College sanctions – as outlined in further detail below. The College will not ignore violations of state or federal law, or College policy, and will not intervene on an individual’s behalf with campus, local or state law enforcement authorities.

Please note: The health and safety of our community is of paramount concern to all members of Rider University. Community members are expected to act out of concern for themselves and others. Recognizing that there are times when members of the community find themselves in positions where medical assistance is needed to ensure the proper care of an intoxicated person, the University has established a **Good Samaritan Policy**.

<https://www.rider.edu/offices-services/community-standards/good-samaritan-policy>

Stop Alcohol Poisoning Call 911 or Public Safety at 609-896-7777 Please call immediately If you see anyone on campus that has any of the following symptoms: • Unconscious or semiconscious • Presents shallow or irregular breathing • Cold, clammy, pale or bluish skin • Cannot be awakened by shouting or prodding • Vomiting

Off Campus Good Samaritan: In the past, there have been times when individuals were unwilling or reluctant to call authorities for help for fear that this might lead to an arrest or prosecution for illegal drug use or possession. In order to encourage the reporting of drug overdoses, the new law offers protection to those who report the overdose. Prior to the enactment of the Overdose Protection Act, New Jersey law offered protection to individuals who sought medical help for alcohol overdoses in underage drinking situations. The new law is intended to bridge the gap and offer the same protections in cases of drug overdoses. Under this law, individuals who seek medical attention for overdose victims cannot be charged with drug possession, use offenses, or probation violation. In order to qualify for the reporting individual must stay with the victim and cooperate with medical personnel.

<http://www.njdcj.org/agguide/overdose-prevention-act.pdf>

Tobacco Use/Vaping:

In compliance with both University policy and New Jersey State law (N.J.S.A. 26:3D-17), smoking or ignition of any tobacco or other product or substance, including electronic smoking devices of any kind, is prohibited in all buildings on campus, including but not limited to classroom buildings, administrative office buildings, the Bart Luedeke Student Center (including The Pub), dining facilities, residence halls and Greek houses. In addition, smoking/vaping is prohibited within 25 feet of all building entrances, within 25 feet of operable first floor windows, and within 25 feet of any building louvers or grilles providing outside air intake for equipment. At Westminster Choir College, smoking/vaping is Section One: Code of Conduct 17 permitted ONLY in the gazebo. Students are responsible for ensuring that their guests comply with this policy in accordance with Rider University’s guest policy.

HEALTH RISKS:

What are the known effects of drug abuse and alcohol abuse?

Rider University recognizes alcohol and other drug dependence as an illness and a major health problem. Drinking alcohol has acute effects on the body. It impairs speech, coordination, vision, and judgment, and often leads to dangerous risk-taking behavior. Nearly half of all accidental deaths, suicides, and homicides are alcohol related. The misuse of alcohol is often involved in violent behavior, non-stranger rape, unintended pregnancy, and exposure to sexually transmitted infections. Long-term excessive drinking and other drug use can lead to a variety of health problems. Drugs and alcohol can cause physical and psychological dependence. They can interfere with memory, sensation, and perception. Drugs impair the brain’s ability to synthesize information. Regular users of drugs develop tolerance and physical dependence, often evidenced by withdrawal symptoms. A user is psychologically dependent when a drug is central to his or her life. Abuse of alcohol or other drugs can have significant negative impacts on academic and job performance.

Alcohol: In moderate amounts alcohol causes dizziness, dulling of the senses, impairment of coordination, reflexes, memory and judgment. Increased amounts of alcohol produce staggering, slurred speech, double vision, mood

changes and unconsciousness. Larger amounts result in respiratory arrest, and death. Long term drinking increases the risk of liver disease, heart disease, high blood pressure, stroke, birth defects, and cancer especially of the esophagus, mouth, throat or voice box. **Symptoms of use:** Glazed eyes, slurred speech, odor, pale and dry skin, broken blood vessels in facial area, slowed motor coordination. Symptoms of alcohol poisoning include inability to be awakened, vomiting, bluish or pale skin, or irregular breathing.

Marijuana Health Risks: Marijuana increases heart rate. Short term use affects memory and learning, it distorts perception, interferes with thinking and problem solving. It results in loss of coordination, and anxiety and panic attacks. Long term effects are daily cough and phlegm, symptoms of chronic bronchitis, difficulty sustaining attention, difficulty shifting attention to changes in the environment, difficulty registering, processing and using information. Marijuana increases cancer risk of the head, neck and lungs. It lowers testosterone in males, suppresses ovulation, and may cause birth defects or infertility. Studies show about 6-11% of fatal accident victims test positive for THC (the chemical in marijuana), and moderate doses of marijuana are shown to impair driving. **Symptoms of use:** Someone who uses marijuana may laugh inappropriately and have bloodshot eyes, dry mouth and throat, an odor of the drug, a poor sense of timing and increased appetite.

Stimulants : (Cocaine & Crack, Methamphetamine, Crystal Meth, Khat, etc.)

Health Risks: Stimulants cause dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature. They may also cause insomnia, loss of appetite, tactile hallucinations, paranoia, rapid or irregular heartbeat, and tremors. High doses or extended use may produce psychosis, including hallucinations, delusions and paranoia, seizure and death. **Symptoms of use:** Someone using stimulants may experience dilated pupils, excessive sweating, flushed skin, dry mouth, tremors, increased energy or hyperactivity, and clouded mental functioning. There may be panic reactions, anxiety, numbness in hands and feet, loss of weight, a period of hyperactivity followed by a depression, a running or bleeding nose and sustained depression. An individual may appear restless, anxious, moody and unable to focus.

Depressants -(Barbiturates, alcohol, GHB -date rape drug, etc.)

Health Risks: In small doses, barbiturates produce calmness, relaxed muscles and lowered anxiety. Larger doses cause slurred speech, staggering gait and altered perception. Large doses taken in combination with other central nervous system depressants (e.g., alcohol) cause respiratory depression, coma, and sometimes death. GHB causes a "drunken like" state with nausea, drowsiness, confusion, muscle relaxation, lowered heart and respiratory rate. High doses of GHB produce memory loss, sedation, coma and death. GHB is increasingly associated with overdoses, "date rapes," and fatalities. **Symptoms of use:** A person who uses barbiturates may have poor muscle control, appear drowsy or drunk, become confused, irritable and inattentive or have slowed reactions. A person who uses GHB may have sweating, tremors, difficulty breathing, and weakness.

Hallucinogens - (PCP, LSD, Mushrooms, Ketamine, Mescaline, etc.)

Health Risks: PCP, or angel dust, decreases heart rate, blood pressure, and body temperature. It is known for being associated with violent experiences or "bad trips." PCP blocks pain receptors. Chronic users report memory loss and speech difficulty. Very large doses produce convulsions, coma, heart and lung failure, or ruptured blood vessels in the brain. Ketamine is similar to PCP. LSD and mescaline cause dilated pupils, elevated body temperature, increased heart rate and blood pressure, and tremors. A mescaline or a mushroom experience is very similar to using LSD. **Symptoms of use:** A person using PCP may have eye fluttering, sweating, flushed skin, drooling, numbness, and garbled speech. A person may become paranoid, aggressive or violent. Hallucinations may occur. LSD users may experience loss of appetite, sleeplessness, confusion, anxiety and panic. Flashbacks may also occur.

Narcotics - (Opium, Heroin, Morphine, OxyCodone (Oxycontin), Hydrocodone (Vicodin), etc.)

Health Risks: Because these narcotics are generally injected, the use of contaminated needles may result in AIDS and hepatitis. Symptoms of overdose include shallow breathing, clammy skin and convulsions. An overdose may result in a coma or even death. **Symptoms of use:** Some signs of narcotic use are euphoria, drowsiness, constricted pupils and nausea. Other symptoms include itchy skin, needle or "track" marks on the arms and legs, nodding, loss of sex drive and appetite. When withdrawing from the drug, sweating, cramps and nausea occur. **FENTANYL:** Fentanyl is a powerful synthetic opioid that is similar to morphine but is 50 to 100 times more potent. It is a prescription drug that is also made and used illegally. Like morphine, it is a medicine that is typically used to treat patients with severe pain, especially after surgery. It is also sometimes used to treat patients with chronic pain who are physically tolerant to other opioids. Tolerance occurs when you need a higher and/or more frequent amount of a drug to get the desired effects. **Synthetic opioids, including fentanyl, are now the most common drugs involved in drug overdose deaths in the United States. Prescription drug abuse** is a growing problem and is seen by some as more socially acceptable than

abusing illicit drugs. Some common prescription drugs that are abused are Xanax, Klonopin, Benzodiazepines, Hydrocodone, Valium, Ativan, Soma, Oxycodone, Depakote, Methadone, or over-the-counter medicines, to name only a few. For the first time, there are just as many new abusers of prescription drugs, ages 12 and older, as there are new abusers of marijuana. Over 2 million Americans are estimated to be dependent on or abusing prescription drugs in the past year (SAMHSA, 2002 National Survey on Drug Use and Health). Teenagers tend to characterize use of prescription drugs as “safe” or “controlled” and believe that they are safer than illegal drugs, even when taken without a prescription. Many people feel that prescription drugs are easy to get, whether from a medicine cabinet, another person’s prescription, or on the internet. Abusing prescription drugs are just as dangerous and harmful as abusing any other drug. Symptoms of use: Signs of use may vary and may encompass symptoms already discussed. Pay attention to eyes, constricted or dilated pupils, and mood changes, decreased motivation, changes in friends, coughing, sniffing and deepened voice, loss of appetite, paraphernalia, difficulty concentrating, impaired judgment, slurred speech, etc.

The following website contains additional information about alcohol and potential health effects:

<http://www.niaaa.nih.gov/alcohol-health/alcohols-effects-body>

The following website contains additional information about commonly abused drugs and potential health effects:

<http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs/health-effects>

RESOURCES:

Where can Students go for help for themselves or others?

Rider University encourages all students who use illegal drugs or abuse alcohol to seek appropriate assistance. The Counseling Service, Student Health Center and the Alcohol/Drug & Sexual Assault Prevention Education Program are available to all students for confidential alcohol or drug-related consultation, whether or not those students are covered under the university’s health insurance program. Additional resources can be found below.

What about employees?

Rider’s Employee Assistance Program (EAP) provider is with Princeton Employee Assistance Program. Contact them 24/7 1-800-527-0035 or www.princetonhcs.org/eap. The EAP’s goal is to help improve and maintain productivity and healthy functioning in the workplace and address specific personnel issues through face-to-face counseling. All contact with the EAP program is completely confidential and free of charge. You can also send a confidential email to

pmp-h-eap@penmedicine.upenn.edu and can expect a reply within 24 hours.

Drug and Alcohol Services On-Campus

Counseling Services – Students who have concerns about their drug or alcohol use are encouraged to come to Counseling Services to confidentially explore their usage patterns, their relationship to substance use, and for support in making changes. For students with more severe abuse patterns, referral services are offered. **Counseling Center** (609) 896-5157

Referral Services – Both Rider’s Alcohol/Drug & Sexual Assault Prevention Education Coordinator and Rider’s Counseling Services will help a student locate an off-campus treatment provider. Support groups and local treatment centers are listed below.

Off-Campus Alcohol and Drug Support Groups/Resources

Alcoholics Anonymous

<http://www.aa.org>

Alcoholics Anonymous Central Jersey Intergroup and Meeting List

<http://www.centraljerseyintergroup.org/>

Al-Anon – New Jersey Meetings

<http://www.nj-al-anon.org>

Rational Recovery <http://www.rational.org>

Cocaine Anonymous <http://www.ca.org/>

Marijuana Anonymous <http://www.marijuana-anonymous.org>

Narcotics Anonymous <http://www.na.org>

*There is a Narcotics Anonymous Meeting on TCNJ's Campus that meets Friday's @ 6:30 PM. Contact Chris @ 973-727-0559 for more information.

Nar-Anon <http://nar-anon.org>

NJ Quitline is a free telephone-counseling service for smokers who are ready to stop. Call today and speak with your own quit coach. No matter which quit method you choose the Quitline can more than double your chances for success. 1-866-NJSTOPS (657-8677)

Local Treatment Centers:

Princeton House Behavioral Health

<http://www.princetonhcs.org/page1848.aspx>

905 Herrontown Road, Princeton, NJ 08540

Phone: (800) 242-2550 or (609) 497-3300

Offices are also located in Cherry Hill, Hamilton, and North Brunswick.

Carrier Clinic

<http://www.carrier.org/>

252 Route 601 Belle Mead, NJ 08502

(800) 933-3579 (908) 281-1000

Corner House (outpatient treatment)

<http://www.princetontwp.org/CornerHouse/>

369 Witherspoon Street

Princeton, NJ 08540

(609) 924-8018

Mercer Council on Alcoholism & Drug Addiction

1931 Brunswick Ave

Lawrence, NJ 08648

(609) 396-5874

Applicable Legal Sanctions

There are applicable legal sanctions under federal, state, and local laws for the unlawful possession or distribution of illicit drugs and alcohol.

NEW JERSEY ALCOHOL LAWS AND PENALTIES

- Legal Drinking Age – As of January 1, 1983, New Jersey's legal drinking age is 21 years.
- Possession and Consumption – In addition to New Jersey City University policies on alcoholic liquor, Hudson County ordinances and New Jersey state laws provide criminal penalties for specific violations occurring on campus.
- Purchase^{[[[SEP]]]} Title 33 of the New Jersey Statutes makes it an offense, punishable by a minimum fine of \$100, a mandatory one-year driver's license suspension, and mandatory participation in an alcohol education program, for any person under the legal drinking age to enter any licensed premises with intent to purchase any alcoholic beverage, or for any person of legal drinking age to enter any licensed premises with intent to purchase any alcoholic beverage for someone under the legal drinking age.
- Service to Underage^{[[[SEP]]]} Any person who knowingly offers, serves or makes available alcohol to an underage person, or entices the underage person to consume alcohol is committing a disorderly persons offense and faces a fine up to \$1,000.

1. Regulation of Sales or Gifts

- Title 33 of the New Jersey Statutes makes it unlawful to directly or indirectly sell alcoholic beverages to any person of any age without a license or special permit issued by the New Jersey Alcoholic Beverage Control Commission. Sale is construed to include admission charges, the sale of cups, the sale of tickets, and/or the acceptance of donations.
- N.J.S. 2C: 33-17 states that making any alcoholic beverage available to a person under the legal drinking age, in public or private, without an adult parent or guardian present and consenting, is punishable by a fine of \$1,000 and/or up to 6 months in jail. NOTE: It is not a defense for any of the above charges that the accused believed the person to be of legal age, even if that belief was reasonable. The only available defense is based on the presentation of a photographic identification card or state driver's license.

2. Open Container Law

- Having an open or unsealed container of an alcoholic beverage in a car carries a \$200 fine for first offense and a \$250 fine or 10- day community service obligation for the second offense.
- N.J.S. 2C: 33-15 provides for a minimum fine of \$100, a mandatory 30-day loss of driving privilege, and required participation in an alcohol education program for any person under the legal drinking age to possess, in any public place, any alcoholic beverage, regardless of whether or not the container is sealed.
- N.J.S. 39:4-50 provides for a minimum \$200 fine for any motor vehicle operator or passenger found to be in possession of any open container of an alcoholic beverage, regardless of age.
- Article 84-39 Hudson County Ordinance: It shall be unlawful for any person to consume any alcoholic beverage or to possess any alcoholic beverage in an open container with intent to consume the same on any sidewalk, street, avenue, highway, public parking lot, or other public place, or in any motor vehicle not on private property, within Hudson County at any time (except during block/street affairs where permits have been requested and issued).
- Transporting Alcoholic Beverages – Title 33 of the New Jersey Statutes provides for serious penalties (including the seizure and sale at auction of any motor vehicle involved) for any person, without a transportation permit issued by the New Jersey State Alcoholic Beverage Control Commission, to transport, in an automobile within this state, the equivalent of more than five cases of beer or other malt beverages. Specific gallon limits also apply for distilled liquors and wines.

3. Driving Under the Influence

N.J.S. 39:4-50 provides for the following penalties for any person convicted of operating a motor vehicle anywhere within this state, on public or private property, while under the influence of an alcoholic beverage or any drug (including lawful drugs if the driver's ability to safely operate a motor vehicle is impaired).

- Driving While Intoxicated^[SEP] A person is legally drunk if his or her blood alcohol concentration (BAC) is 0.10 percent or higher. A person also may be arrested with a BAC lower than 0.10 percent if his or her driving ability is considered unsafe. In either case, the person is charged with Driving While Intoxicated (DWI). All persons convicted of DWI must pay an insurance surcharge of at least \$1,000 per year for three years, in addition to the following penalties:
- First Offense: Additional fines and charges of at least \$470; loss of license for six-12 months; 12- 48 hours to be spent at an intoxicated driver resource center; and a possible 30- day jail sentence.
- Second Offense: Additional fines and charges of at least \$720; loss of license for two years; requirements for 30 days of community service and 48 hours at an intoxicated driver resource center or jail; and a possible 90- day jail sentence.
- Third Offense: Additional fines and charges of at least \$1,120; loss of license for 10 years; a 180- day jail sentence; and an insurance charge of \$1,500 per year for three years.
- Refusing the Breath Test^[SEP] Refusal to take the breath test when there is probable cause for arrest carries a fine of \$250-\$500, a loss of license for six months, and an obligation to complete an alcohol education or rehabilitation program. A person can be convicted of DWI without the results of a breath or blood alcohol test.
- Driving on a Suspended License^[SEP] Driving with a suspended license because of a DWI conviction carries up to two years additional suspension, a fine of \$500 and a possible 90- day jail sentence. Involvement in an injury-causing accident carries a mandatory 45- day jail sentence.

4. The Use and Misuse of Forms of Identification

- **Transfer of I.D.** Any person who is underage and uses another person's I.D. to obtain alcohol or a person who is of legal age and gives his or her I.D. to an underage person to obtain alcohol, faces a fine of up to \$300 or a 60- day jail sentence.
- **Manufacturing False I.D.** Any person who sells or offers to sell a document that simulates a state driver's license or other governmental document that could be used to verify a person's age is guilty of a disorderly person's offense and faces a fine of up to \$1,000.

NEW JERSEY DRUG LAWS

Drug-Related Laws and Penalties in New Jersey All New Jersey DWI laws cover the use of other drugs as well as alcohol.

1. **Age and Drug Offenses** A person 14 years or older charged with a drug offense can be tried as an adult; anyone convicted of distribution of controlled substances to a person under 18 is subject to twice the fine, penalty and term of imprisonment.
2. **Drug-Induced Deaths** If a person dies as the result of using a controlled substance, the person who distributes or dispenses the substance can be prosecuted for homicide.
Fines/Penalties Anyone convicted of a drug offense, including use, must pay a special cash penalty (from \$500 to \$3,000), which is used for drug enforcement and prevention programs.
3. **Drug Use/Driving Privilege** Anyone convicted of a drug offense will lose his or her driver's license for at least six months; anyone under 17 convicted of a drug offense may not be able to get a license for at least six months after turning 17.
4. **Drug-Free School Zones** Anyone convicted of distributing controlled substances may be considered to be a dealer and be subject to imprisonment without parole; anyone convicted of simple possession will be required to perform at least 100 hours of community service; anyone convicted, as an adult, of possessing a drug other than marijuana will serve three years in prison without parole; and anyone convicted as an adult for distributing any amount of marijuana will serve at least one year in prison without parole.
5. **Leader of Narcotics Trafficking Network** A person is a leader of a narcotics trafficking network if he or she conspires with others, as an organizer, supervisor, financier or manager, to engage for profit in a scheme or course of conduct to unlawfully manufacture, distribute, dispense, bring into this state or transport any controlled substance. Leading a narcotics trafficking network is a crime of the first degree and, upon conviction, a person will be sentenced to an ordinary term of life imprisonment during which the person must serve 25 years before being eligible for parole. The court also may impose a fine not to exceed \$500,000 or five times the street value of the controlled dangerous substance or controlled substance analog involved, whichever is greater.
6. **Maintaining or Operating a Controlled Dangerous Substance Production Facility** Any person who knowingly maintains or operates any premises, place or facility used for the manufacture of any substances classified as a narcotic drug, or any person who knowingly aids, promotes, finances or otherwise participates in the maintenance or operation of such premises, place or facility is guilty of a crime of the first degree and will be sentenced to a term that will be fixed at or between one-third and one-half of the sentence imposed, during which the defendant will be ineligible for parole. The court also may impose a fine not to exceed \$500,000 or five times the street value of all controlled dangerous substances at any time manufactured or stored at such premises, place or facility, whichever is greater.
7. **Manufacturing, Distributing or Dispensing** It shall be unlawful for any person knowingly or purposely:
 - To manufacture, distribute or dispense, or to possess or have under his or her control with intent to manufacture, distribute or dispense a controlled dangerous substance or controlled substance analog.
 - To create, distribute or possess, or have under his or her control with intent to distribute, a counterfeit controlled dangerous substance.
 - Any person who violates this law is subject to terms of imprisonment as determined by the court and fines of up to \$300,000, depending on the substance and quantity in possession.

8. Anabolic Steroids: Manufacturing, Distributing or Dispensing^{[[SEP]]} It is unlawful for any person who is not a practitioner acting in the course of his or her professional practice to knowingly or purposely manufacture, distribute or dispense, or to possess or have under his or her control with intent to manufacture, distribute or dispense, any anabolic steroid or immediate precursor. Any person who violates this section shall be guilty of a crime of the third degree.
9. Employing a Juvenile in a Drug Distribution Scheme^{[[SEP]]} Any person being at least 18 years of age, who knowingly uses, solicits, directs, hires or employs a person 17 years of age or younger to violate N.J.S. 2C:35-4 or subsection a. of N.J.S. 2c35- 5, is guilty of a crime of the second degree and will be sentenced to a term of imprisonment that will be fixed at or between one-third or one-half of the sentence imposed or five years, whichever is greater, during which the defendant will be ineligible for parole. The court also may impose a fine not to exceed \$300,000 or five times the street value of the controlled dangerous substance or controlled substance analog involved, whichever is greater.
10. Criminal Sale of a Controlled Substance on or Near School Grounds^{[[SEP]]} Any person who violates subsection a. of N.J.S. 2c 35- 5 by distributing, dispensing or possessing with intent to distribute a controlled dangerous substance or controlled substance analog while on any school property used for school purposes that is owned by or leased to any elementary or secondary school or school board, or within 1,000 feet of such school property or a school bus, or while on any school bus, is guilty of a crime of the third degree and will be sentenced by the court to a term of imprisonment.
11. A fine of up to \$100,000 also may be imposed upon any conviction for a violation of this section.
12. Distribution to Persons Under Age 18; Enhanced Punishment^{[[SEP]]} Upon the application of the prosecuting attorney, any person being at least 18 years of age who has been convicted of distributing a controlled dangerous substance or controlled substance analog to a pregnant female or a person 17 years of age or younger shall be subject to twice the term of imprisonment, fine and penalty, including twice the term of parole ineligibility.
13. Strict Liability for Drug-Induced Deaths^{[[SEP]]} Any person who manufactures, distributes or dispenses any controlled dangerous substance is strictly liable for a death that results from the injection, inhalation or ingestion of that substance, and is guilty of a crime of the first degree.
14. Possession, Use or Being Under the Influence or Failure to Make Lawful Disposition ^{[[SEP]]} It is unlawful for any person, knowingly or purposely, to obtain or possess, actually or constructively, a controlled dangerous substance or controlled substance analog, unless the substance was obtained directly or pursuant to a valid prescription or order form from a practitioner, while acting in the course of his or her professional practice. A person violating this law is guilty of a crime of the third or fourth degree and may be fined up to \$15,000.
15. Anabolic Steroids: Possession^{[[SEP]]} It is unlawful for any person, knowingly or purposely, to obtain or possess, actually or constructively, an anabolic steroid, unless the substance was obtained directly or pursuant to a valid prescription or order form from a practitioner, while acting in the course of his or her professional practice. Any person who violates this section is guilty of a crime of the fourth degree.

FEDERAL DRUG TRAFFICKING PENALTIES

CLASS II DRUGS AND I: LOWER AMOUNTS:

1. Types

- o Methamphetamine (5- 499 g or 50- 499 g mixture)
- o Heroin (100- 999 g mixture)
- o Cocaine (500- 4,900 g mixture)
- o Cocaine Base (5- 49 g mixture)
- o PCP (10- 99 g or 100- 999 g mixture)
- o LSD (1- 10 g mixture)
- o Fentanyl (40- 399 g mixture)
- o Fentanyl Analogue (10- 99 g mixture)

2. First Offense –

- Not less than five years. Not more than 20 years
- If death or serious injury, not less than 20 years; Not more than life
- Fine of not more than \$1 million individual; \$10 million other than individual

3. Second Offense –

- Not more than 30 years
- If death or serious injury, not less than life
- Fine of not more than \$2 million individual; \$10 million other than individual

CLASS II DRUGS AND I: HIGHER AMOUNTS:

1. Types

- Methamphetamine (50 g or more or 500 g or more mixture)
- Heroin (1 kg or more mixture)
- Cocaine (5 kg or more mixture)
- Cocaine Base (50 g or more mixture)
- PCP (100 g or more or 1 kg or more mixture)
- LSD (10 g or more mixture)
- Fentanyl (400 g or more mixture)
- Fentanyl Analogue (100 g or more mixture)

2. First Offense –

- Not less than five years. Not more than life
- If death or serious injury, not less than 20 years. Not more than life.
- Fine of not more than \$4 million individual; \$10 million other than individual.

3. Second Offense –

- Not less than 20 years. Not more than life.
- If death or serious injury, not less than life.
- Fine of not more than \$8 million individual; \$20 million other than individual.

OTHER DRUGS: ANY QUANTITY (not including marijuana, hashish or hashish oil)

1. First Offense –

- Not more than 20 years.
- If death or serious injury, not less than 20 years. Not more than life.
- Fine of \$1 million individual; \$5 million not individual.

2. Second Offense –

- Not more than 30 years.
- If death or serious injury, life.
- Fine of \$2 million individual; \$10 million not individual.

OTHER DRUGS CLASS III: ANY QUANTITY

1. First Offense –

- Not more than five years.

- Fine of not more than \$250,000 individual; \$1 million not individual.

2. Second Offense –

- Not more than 10 years
- Fine of not more than \$500,000 individual; \$2 million not individual.

OTHER DRUGS CLASS IV: ANY QUANTITY

1. First Offense –

- Not more than three years
- Fine of not more than \$250,000 individual; \$1 million not individual.

2. Second Offense –

- Not more than six years.
- Fine of not more than \$500,000 individual; \$2 million not individual.

OTHER DRUG CLASS V: ANY QUANTITY

1. First Offense –

- Not more than one year.
- Fine of not more than \$100,000 individual; \$250,000 not individual.

2. Second Offense –

- Not more than two years
- Fine not more than \$200,000 individual; \$500,000 not individual

MARIJUANA: 1,000 KG OR MORE; OR 1,000 OR MORE PLANTS
(mixture containing detectable quantity)

1. First Offense –

- Not less than 10 years, not more than life.
- If death or serious injury, not less than 20 years. Not more than life.
- Fine of not more than \$4 million individual; \$10 million other than individual.

2. Second Offense –

- Not less than 20 years, not more than life.
- If death or serious injury, not less than life.
- Fine of not more than \$8 million individual; \$20 million other than individual.

MARIJUANA: 100 KG TO 1,000 KG; OR 100-999 PLANTS^[1]_{SEP}(mixture containing detectable quantity)

1. First Offense –

- Not less than five years, not more than 40 years.
- If death or serious injury, not less than 20 years. Not more than life.
- Fine of not more than \$2 million individual; \$5 million other than individual.

2. Second Offense –

- Not less than 10 years, not more than life.
- If death or serious injury, not less than life.
- Fine of not more than \$4 million individual; \$10 million other than individual.

MARIJUANA: Marijuana (50 to 100 kg; or 50- 99 plants); Hashish (10 kg or more); Hashish Oil (1 kg or more)

1. First Offense –

- o Not more than 20 years.
- o If death or serious injury, not less than 20 years, not more than life.
- o Fine of \$1 million individual; \$5 million other than individual.

2. Second Offense –

- o Not more than 30 years.
- o If death or serious injury, life.
- o Fine of \$2 million individual; \$10 million other than individual.

MARIJUANA: Marijuana (less than 50 kg); Hashish (less than 10 kg); Hashish Oil (Less than 1kg)

1. First Offense –

- o Not more than five years.
- o Fine of not more than \$250,000 individual; \$1 million other than individual.

2. Second Offense –

- o Not more than 10 years.
- o Fine of \$500,000 individual; \$2 million other than individual.

The purchase and consumption of alcohol is a right extended by the State of New Jersey. The legal age to purchase and consume alcoholic beverages in the State of New Jersey is twenty-one. (N.J.S.A. 9:17b-**Possession or Consumption of Alcoholic Beverages in Public Places by persons under legal age (N.J.S.A. 2C:33-15)** Any person under the legal age to purchase alcoholic beverages who knowingly possesses without legal authority or who knowingly consumes any alcoholic beverage in any school, public conveyance, public place, place of public assembly, or motor vehicle is guilty of a disorderly persons offense and shall be fined not less than \$500.

Purchase of Alcohol by/for the under aged (N.J.S.A. 33:1-81) An under aged person who purchases or attempts to purchase alcohol, or who misstates his/her age, or a person of legal age who purchases alcohol for an under aged person faces a conviction of a disorderly persons offense, which incurs a fine of not less than \$500 and loss of license for six months. In addition, under aged persons may be required to participate in a state sponsored alcohol education program.

Offering Alcoholic Beverages to Underage Person (N.J.S.A. 2C:33-17) Anyone who purposely or knowingly offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices that person to drink an alcoholic beverage is a disorderly person. This provision does not apply to certain close relatives, certain activities confined to the home, or if the consumption is part of a religious observance.

Transfer of ID (N.J.S.A. 33:1-81.7) Someone who is under aged and uses another person's ID card to obtain alcohol, or someone of legal age who gives his/her ID card to an under aged person so that he/she can obtain alcohol, faces a fine of up to \$300 or up to 60 days in jail.

False ID (N.J.S.A. 2C:21-2.1 1d) A person who knowingly possesses a document or other writing which falsely purports to be a driver's license or other document issued by a governmental agency and which could be used as a means of verifying a person's identity or age or any other personal identifying information is guilty of a crime in the fourth degree.

Host/Hostess Liability Under a 1984 New Jersey Supreme Court decision, Kelly vs. Gwinnell, a host or hostess who serves alcoholic beverages to a guest, knowing that the guest is intoxicated and will soon be driving, can be held liable for injuries inflicted on a third party if that guest is involved in a motor vehicle accident.

Driving While Intoxicated

Operating Motor Vehicles While Under the Influence of Intoxicants (N.J.S.A. 39:4- 50) A person is said to be legally drunk in New Jersey if his/her blood alcohol concentration is at or above .08%. Penalties: All persons convicted of DWI must pay an insurance surcharge of \$1,000 per year for three years.

In addition: For the first offense, there are additional fines and charges of at least \$470 (bringing the total minimum charges for a first offense to \$3,470); loss of license for 7-12 months; and a requirement to spend 12-48

hours in an Intoxicated Driver Resource Center. A first-time offender also faces a possible 30-day jail term. **For a second offense**, there are additional fines and charges of at least \$720; loss of license for two years; a requirement to perform 30 days of community service and to spend 48 hours in an Intoxicated Driver Resource Center or jail. Also, there is a possible 90-day jail term. **For a third offense**, additional fines and charges of at least \$1,220; loss of license for 10 years; and a 180-day jail term. The insurance surcharge for a third-time offender is \$1,500 per year for three years. These fines and charges do not include court and legal fees.

Driving While License is Suspended Due to DWI (N.J.S.A. 39.3- 40) If a person is found driving while his/her license is suspended due to a conviction for Driving While Intoxicated, that person upon conviction again shall be fined \$500, shall have his license to operate a motor vehicle suspended for an additional period of not less than one year nor more than two years, and may be imprisoned in the county jail for not more than 90 days.

Refusal to Take the Breathalyzer Test (N.J.S.A. 39:4-50.4a) Refusal to take the breathalyzer test where there is probable cause for arrest for DWI will result in a 6-month loss of license, a fine of \$250-\$500, and an obligation to satisfy the requirements of an alcohol education or rehabilitation program. A person can also be convicted of DWI without the results of a breathalyzer test. In that case, he/she will suffer all the additional fines and penalties specified for the DWI conviction.

Lawrence Township Section 3-33.1 Possession, consumption of alcoholic beverages by persons under legal age on private property is prohibited. It shall be unlawful for any person who is under the legal age to purchase alcoholic beverages, to knowingly possess without legal authority or knowingly consume any alcoholic beverage on private property.

Section 3-33.2 Violations and Penalties.

Any person convicted or adjudicated for violating the terms of this ordinance shall be subject to the following fines:

- 1) First offense - \$250.00
- 2) Second or subsequent offenses - \$350.00
- 3) In addition, the court may, upon a finding of guilty, in addition to the fine authorized for this offense, suspend or postpone for six (6) months the driving privileges of the defendant. Upon conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of seventeen (17) years. If the defendant at the time of the imposition of the sentence has a valid driver's license issued, the court shall immediately collect the license and forward it to the Division of Motor Vehicles along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color, and sex of the person as well as the first and last date of the license suspension period imposed by the court.
- 4) The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39-:3-40. The defendant shall be required to acknowledge in writing the receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of the written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.
- 5) If the person convicted under this ordinance is not a New Jersey resident, the court shall suspend or postpone, as appropriate, the non-resident driving privilege of the person based on the age of the person and submit to the Division of Motor Vehicles the required report. The court shall not collect the license of a non-resident convicted under this Article. Upon receipt of a report by the court, the Division of Motor Vehicles shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

Princeton Township Ordinances

Sec. 3-1.

Compliance with chapter and state law. It shall be unlawful to possess, sell, distribute or transport alcoholic beverages within the township otherwise than as provided in this chapter, the provisions of Title 33 of the Revised Statutes of New Jersey, and the regulations promulgated thereunder by the Director of the Division of Alcoholic Beverage Control as amended and supplemented. (Ord. No. 102, § 2; Ord. No. 84-3, § 1.)

Sec. 3-2. Licenses required.

No person shall sell, serve or distribute alcoholic beverages in the township without first obtaining a license under this chapter.

Sec. 3-21 Minors in places selling alcoholic beverages.

Persons under the legal age to purchase or consume alcoholic beverages as defined by state law shall not be allowed to frequent, loiter, or remain in any room used or devoted to the sale, service or consumption of alcoholic beverages upon a premises licensed under this chapter, unless accompanied by a parent, guardian or adult husband

or wife; provided that this section shall not apply to restaurants or to guest rooms and private and public dining rooms in hotels.

Sec. 3-22. Alcoholic beverages to be served in rooms open to public; exception as to clubs. No person shall be served alcoholic beverages in any room or place which is not open to the public generally; except, that in hotels guests may be served in their rooms or in private dining rooms; provided further, that this regulation shall not apply to bona fide clubs entitled to club licenses under the law and state rules and regulations. (Ord. No. 102, § 23.)

Sec. 13-5. Alcoholic beverage consumption in public places.

(a) Prohibitions. No person shall consume or possess in any opened container any alcoholic beverage in or upon any public or quasi-public place, including but not limited to any public street, alley, sidewalk, mall, park, playground, public conveyance, parking facility or in or around any public building. For the purposes of this section, a quasipublic area shall be defined as that portion of private lands which have been made open to the public for their use and enjoyment by the owner of said lands in connection with

zoning approvals, dedication of said lands or similar means, and where the mayor and council, upon written application from the owner of said lands, determine that the provisions of this section be made applicable thereto. No person shall consume any alcoholic beverage in or upon any private vehicle while it is in motion or parked upon any such public or quasi-public place. (c) *Penalty.* The penalty for the first violation of this section shall be a fine not to exceed two hundred fifty dollars, for a second violation within three years of the first violation, the penalty shall be a fine not to exceed five hundred dollars, and/or a period of incarceration not to exceed ten days; for a third offense within three years of the second offense, or within five years of the first offense, the penalty shall be a fine not to exceed one thousand dollars, and/or a period of incarceration not to exceed thirty days; for a fourth or subsequent offenses, irrespective of the dates of any of the previous offenses, the maximum penalty shall be a fine not to exceed one thousand dollars, and/or a period of incarceration not to exceed ninety days. (Ord. No. 2006-31, § 1.)

Princeton Borough Alcohol Statutes

Sec. 4-2. Sale or distribution of alcoholic beverages contrary to chapter or state law declared unlawful.

It shall be unlawful to sell or distribute alcoholic beverages within the borough, otherwise than as provided in this chapter or state law. (R.O. 1964, § 3.2.)

Sec. 4-8. Same--Required for sale or distribution at retail.

No alcoholic beverages, as described in title 33 of the Revised Statutes, shall be sold or distributed at retail in the borough until a proper license for such sale or distribution shall have first been obtained from the mayor and council, except in those cases provided by law where the licenses in question are to be issued by the director of the state division of alcoholic beverage control. (R.O. 1964, § 3.5.)

Sec. 4-15. Purchases for or on behalf of minors. No person shall purchase any alcoholic beverages for or on behalf of a person under the legal age to purchase or consume alcoholic beverages as defined by state law, except a parent or legal guardian of such minor person.

Sec. 4-15.1. Possession of alcoholic beverage by minors in public.

No person under the legal age to purchase or consume alcoholic beverages as defined by state law shall knowingly possess or consume any alcoholic beverages in any public place or place of public assembly or in any motor vehicle within the borough. (Ord. No. 79-24, § 1; Ord. No. 81-1, § 2; Ord. No. 83-8, § 2.)

Sec. 4-15.2. Possession of alcoholic beverages at inter-scholastic athletic contests.

No person under the legal age to purchase or consume alcoholic beverages as defined by state law shall knowingly possess or consume any alcoholic beverage while in attendance as a spectator or otherwise at any place within the borough where an inter-scholastic athletic contest is taking place. For the purpose of this section, inter-scholastic athletic contest is defined to include athletic contests involving secondary schools and elementary schools, whether public or private. (Ord. No. 79-27, § 1; Ord. No. 81-1, § 2; Ord. No. 83-8, § 3.)

Sec. 4-16. Maximum limits of punishment to be doubled in case of second offense.

Any person who, after conviction of an offense under this chapter, shall be convicted of another offense under this chapter, shall for such other and subsequent offense, be punishable by a fine or imprisonment, the maximum limits of which shall be twice the limits otherwise imposed by this chapter or by both such fine and imprisonment, in the discretion of the court. (R.O. 1964, § 3.16.) *For similar state law, see R.S., § 33:1-53. As to general penalty for violations of Code see, § 1-6 of this Code.*

Sec. 4-19. Alcoholic beverage consumption in public places.

(a) Prohibitions. No person shall consume or possess in any opened container any alcoholic beverage in or upon any public or quasi-public place, including but not limited to any public street, alley, sidewalk, mall, park, playground, public conveyance, parking facility or in or around any public building. For the purposes of this section, a quasi-public area shall be defined as that portion of private lands which have been made open to the public for their use and enjoyment by the owner of said lands in connection with zoning approvals, dedication of said lands or similar means, and where the mayor and council, upon written application from the owner of said lands, determine that the provisions of this section be made applicable thereto. No person shall consume any alcoholic beverage in or upon any private vehicle while it is in motion or parked upon any such public or quasi-public place.

(b) Exceptions. Nothing herein shall be construed to prohibit the possession or consumption of alcoholic beverages within or upon premises duly licensed for the consumption of alcoholic beverages, the possession of beer in pitchers or other unsealed containers as may be lawfully sold by licensed premises while in transit to a lawful place for consumption or the possession, distribution or consumption of alcoholic beverages in any public park, recreation area, public building, or other public area in connection with any organized function or social affair for which express prior permission has been received in writing from the mayor and council of the Borough of Princeton upon prior notice and subject to any terms and restrictions relating to the public safety and the general welfare of the borough.

(c) Penalty. The penalty for the first violation of this section shall be a fine not to exceed two hundred fifty dollars, for a second violation within three years of the first violation, the penalty shall be a fine not to exceed five hundred dollars, and/or a period of incarceration not to exceed ten days; for a third offense within three years of the second offense, or within five years of the first offense, the penalty shall be a fine not to exceed one thousand dollars, and/or a period of incarceration not to exceed thirty days; for a fourth or subsequent offense, irrespective of the dates of any of the previous offenses, the maximum penalty shall be a fine not to exceed one thousand dollars, and/or a period of incarceration not to exceed ninety days.(Ord. No. 98-16, § I.)

Summary of Applicable State and Federal Laws Regarding Drug Offenses and Penalties

N.J.S.A. 2C:35-3, Leader of Narcotics Trafficking Network, provides penalties for a person found to have acted as an organizer, supervisor, manager or financier of a scheme distributing any Schedule I or II drug.

N.J.S.A. 2C:35-4, Maintaining or Operating a Controlled Dangerous Substance (CDS) Production Facility, provides that such conduct is a first degree crime punishable by imprisonment and fines.

N.J.S.A. 2C:35-5, Manufacturing, Distributing, or Dispensing, provides that such conduct results in imprisonment and fines.

N.J.S.A. 2C:35-6, using a Juvenile in a Drug Distribution Scheme, provides that such conduct is a second degree crime punishable by imprisonment and fines.

N.J.S.A. 2C:35-7, Drug-Free School Zones, provides that any person who distributes, dispenses, or possesses with intent to distribute a controlled dangerous substance within 1,000 feet of school property is guilty of a crime of the third degree.

N.J.S.A. 2C:35-8, Distribution to Persons under Eighteen or Pregnant Females, provides that such conduct carries a penalty of imprisonment and fines.

N.J.S.A. 2C:35-9, Strict Liability for Drug-Induced Death, provides that such a situation is a first degree crime, same as murder, but no intent need be shown, only that death resulted as a result of the use of a drug supplied by the defendant.

N.J.S.A. 2C:35-10, Possession, Use, Being Under the Influence, or Failure to Make Lawful Disposition, provides that such conduct carries penalties of imprisonment and fines.

N.J.S.A. 2C:35-11, Imitation Controlled Dangerous Substance (CDS), provides that dispensing or distributing a substance falsely purported to be a CDS is a third degree crime, and can carry a fine up to \$200,000.

Possession of anabolic steroids is a third degree crime.

Paraphernalia

Drug paraphernalia is defined “ ... all equipment, products, and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing into the human body a controlled dangerous substance including roach clips... bongs...pipes...”

N.J.S.A. 2C:36-2, Use or Possession with Intent to Use, Narcotic Paraphernalia, provides that such conduct carries a disorderly persons offense.

N.J.S.A. 2C:36-3, Distribute, Dispense, Possess with Intent to, Narcotics Paraphernalia, provides that such conduct is a fourth degree crime.

N.J.S.A. 2C:36-4, Advertise to Promote Sale of Narcotics Paraphernalia, provides that such conduct is a fourth degree crime.

N.J.S.A. 2C:36-5, Delivering Paraphernalia to Person under Eighteen Years, provides that such conduct constitutes a third degree crime.

N.J.S.A. 2C:36-6, Possession or Distribution of Hypodermic Syringe, provides that such conduct constitutes a disorderly persons offense.

Federal Drug Offenses

The criminal offenses most commonly charged under the Federal Controlled Substances Act are the knowing, intentional and unauthorized manufacture, distribution or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute or dispense. Federal law also prohibits the knowing, intentional and unauthorized creation, distribution, dispensing or possession with the intent to distribute or dispense a “counterfeit substance.” Simple possession without

necessarily intent to distribute is also forbidden by Federal law and carries a penalty of imprisonment. Attempts and/or conspiracies to distribute or possess with intent to distribute a controlled substance are crimes under Federal law.

Specific drug crimes that may carry greater penalties include the following:

- The distribution of narcotics to persons under 21;
- The distribution or manufacturing of narcotics near schools and colleges;
- The employment of juveniles under the age of 18 in drug trafficking operations;
- The distribution of controlled substances to pregnant women.

The penalties for violating Federal narcotics statutes vary. The penalties may be more severe based upon two principal factors:

- The type of drug involved; and
- The quantity of the drug involved.

With the exception of simple possession charges which result in up to one year imprisonment, maximum penalties for narcotic violations range from 20 years to life in prison. Certain violations carry mandatory minimum prison sentences of either five years or ten years. Harsher penalties will be imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to an individual who uses the drug involved, the penalties are harsher. Anabolic steroids are controlled substances and distribution or possession with intent to distribute carries a sentence of up to five years and a \$250,000 fine.

Please do not hesitate to contact me if you have any questions or if I can be of any assistance to you,

Susan E. Stahley, MSW
Prevention Education Coordinator
Alcohol/Drug & Sexual Assault Prevention (ASAP)
Rider University - Student Health Services
2083 Lawrenceville Road
Lawrenceville, NJ 08648-3099
O:609-895-5721

preferred pronouns: She, Her

A green dot is any choice, behavior, word or attitude that promotes safety for everyone and communicates utter intolerance for power based personal violence in our Rider University community. A green dot is anything you do to make our community safer.

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Best wishes from a safe social distance!

Susan E. Stahley, MSW
Prevention Education Coordinator
Alcohol/Drug & Sexual Assault Prevention Program (ASAP)
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2083 Lawrenceville Road
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preferred pronouns: She, Her

My office is a SafeZone for individuals of all races, ethnicities, abilities, sizes, religions, sexual orientations and gender identities.



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