

# MEMPHIS THEOLOGICAL SEMINARY 2016

DRUG AND ALCOHOL PREVENTION  
& PENALTY POLICY

## Drug and Alcohol Prevention & Penalty Policy

<b>Policy Statement</b>	<b>2</b>
<b>Educational Efforts to Prevent Substance Abuse</b>	<b>3</b>
<b>Disciplinary Actions to Prevents Substances Abuse</b>	<b>4</b>
<b>Appendix A Health Risks Types of Drugs Types of Alcohol</b>	<b>5</b>
<b>Appendix B Tennessee Regulations Types of Drugs Driving</b>	<b>8</b>
<b>Appendix C Federal Regulations Federal Trafficking Penalties Narcotics Penalties &amp; Enforcement Act of 1986</b>	<b>13</b>
<b>Appendix D Alcohol and Drug Resources</b>	<b>18</b>

### **Policy Statement for MTS Drug and Alcohol Abuse Prevention**

This policy has been developed to provide a comprehensive overview of the health risks and legal implications related to alcohol and other drug use and to serve as a reference for on-and off-campus resources that are available to students, faculty and staff at Memphis Theological Seminary (“MTS;” “The Seminary;” “The Institution”). These policies are intended to establish standards of personal and professional conduct must be maintained by faculty, staff and students.

The unlawful manufacturing, distribution, acquisition, possession, or use of alcohol and illegal drugs on the campus of Memphis Theological Seminary, on property owned or controlled by the Seminary, or as part of any campus activity adversely affects the mission of the Seminary and is therefore **strictly prohibited**. Moreover, any member of the MTS community who uses illegal drugs or abuses any drug (including alcohol) may be subject to criminal prosecution by local law enforcement authorities and/or to institutional disciplinary proceedings.

Memphis Theological Seminary has adopted the following policy consistent with federal, state and local laws. The policy is intended to:

1. Prevent substance abuse through strong educational efforts.
2. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of MTS community who require assistance with substance abuse problems.
3. Establish disciplinary procedures for those members of MTS community who engage in activities related to illegal substance abuse.

# Memphis Theological Seminary

## Drug and Alcohol Prevention and Penalty Policy

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### **Educational Efforts to Prevent Substance Abuse**

Memphis Theological Seminary will facilitate a consistent educational program through the *Safe Colleges* training and education modules for the prevention drug and alcohol abuse.

This program is for all members of the MTS community and will include information about the incompatibility of the use or sale of illegal substances with the goals of Memphis Theological Seminary, the health hazards associated with illegal drugs or alcohol use, the incompatibility of substance abuse with the maximum achievement of education, career and other personal goals and the potential legal consequences of involvement with illegal drugs or alcohol.

### **Counseling and Rehabilitation Services to Prevent Substance Abuse**

Any faculty members, staff or students who require assistance with a substance abuse-related problem will be provided with information about alcohol and other drug counseling and rehabilitation services through Memphis Theological Seminary and other community organizations. All applicable standards of confidentiality will be observed for those who choose to use services available through the Seminary.

### **Disciplinary Actions to Prevent Substance Abuse**

Any member of MTS community who violates laws regarding possession of a controlled substance is subject to criminal prosecution and possible conviction by local authorities and to disciplinary proceedings by the Seminary.

Memphis Theological Seminary students, faculty and staff who use alcoholic beverages will do so as legally prescribed by the laws of the State of Tennessee and within the regulations of the institution and conduct themselves in a manner that does not disrupt campus activities; an individual whose conduct is found to be outside of these parameters will be subject to the judicial rules and procedures of MTS.

It is **not** considered "double jeopardy" for both local law enforcement and the Seminary to proceed against and punish a person for the same specified conduct. MTS will initiate its own disciplinary proceeding against a student or employee when the alleged conduct is deemed to adversely affect the interests of the institution.

Sanctions will be imposed by MTS in accordance with this and other applicable Seminary policies (e.g., Staff Handbook, Faculty Handbook, Student Code of Conduct).

# Memphis Theological Seminary

## Drug and Alcohol Prevention and Penalty Policy

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### **Disciplinary Actions to Prevent Substance Abuse**

Students, faculty and staff members of Memphis Theological Seminary with substance abuse problems are encouraged to take advantage of available counseling and prevention services; however, employees and students using these services will not be granted special privileges or exemptions from standard academic and student conduct requirements. Moreover, the Seminary will not excuse acts of misconduct committed by employees and students whose judgment is impaired due to substance use.

Students at Memphis Theological Seminary (i.e., any person who is registered for study for any academic period) could be subject to one (or more) of the following disciplinary sanctions for failure to comply with the terms of this policy:

1. Expulsion
2. Suspension
3. Probation
4. Mandatory educational program

In addition to the above, students may be required to successfully complete a substance abuse rehabilitation program.

As a condition for receiving Federal Title IV financial aid, each student must certify that he/she will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and must notify the Director of Student Financial Aid and the Director of Facilities and Safety of any conviction within five (5) days. A student convicted of violating this regulation may lose his/her federal financial aid and may be subject to disciplinary action under the Seminary's Student Code of Conduct.

### **Institutional Compliance**

The Director of Facilities and Safety and the Human Resource Department are responsible for overseeing institutional compliance with the *Drug-Free Schools and Communities Act* regulations and its biennial review.

## Appendix A

### HEALTH RISKS

#### TYPES OF DRUGS

##### Schedule I

Schedule I drugs are substances with no currently accepted medical use and a high potential for abuse. Schedule I drugs are the most dangerous drugs of all the drug schedules with potentially severe psychological or physical dependence. Some examples of Schedule I drugs are:

- Heroin
- Lysergic Acid Diethylamide (“LSD”)
- Marijuana (Cannabis)
- 3, 4-methylenedioxymethamphetamine (“Ecstasy”)
- Methaqualone
- Peyote.

**Health Risks:** Psychologically and physically addictive; depression; withdrawal symptoms; convulsions; unpredictable behavior with hallucinations; possible damage to an unborn fetus; possible death

##### Schedule II

Schedule II drugs, substances, or chemicals are defined as drugs with a high potential for abuse, less abuse potential than Schedule I drugs, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous. Some examples of Schedule II drugs are:

Combination products with less than 15 milligrams of hydrocodone per dosage unit (Vicodin); Cocaine; Methamphetamine (“Meth”); Methadone; Hydromorphone (Dilaudid); Meperidine (Demerol); oxycodone (OxyContin); Fentanyl; Dexedrine; Adderall and Ritalin

**Health Risks:** Psychologically and physically addictive; withdrawal symptoms – convulsions, respiratory failure, frequent accidents; possible damage to unborn fetus; death. Cocaine and amphetamines increase blood pressure which can lead to irregular heartbeat and death. Amphetamines can cause agitation, increase in body temperature, hallucinations, convulsions, and possible death.

Memphis Theological Seminary  
Drug and Alcohol Prevention and Penalty Policy

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**Schedule III**

Schedule III drugs have a with a moderate-to-low potential for physical and psychological dependence. Schedule III drugs abuse potential is less than Schedule I and Schedule II drugs but more than Schedule IV. Some examples of Schedule III drugs are:

Products containing less than 90 milligrams of codeine per dosage unit (Tylenol with codeine), Ketamine; Anabolic steroids; Testosterone

**Health Risks:** Psychologically and physically addictive; potential liver damage, nausea and vomiting; dizziness; disorientation; shallow breathing; cold and clammy skin; coma, possible death; withdrawal symptoms (i.e., anxiety, tremors, insomnia, convulsions); possible damage to an unborn fetus

**Schedule IV**

Schedule IV drugs, substances, or chemicals are defined as drugs with a low potential for abuse and low risk of dependence. Some examples of Schedule IV drugs are:

Xanax, Soma, Darvon, Darvocet, Valium, Ativan, Talwin, Ambien, Tramadol

**Health Risks:** Psychologically and physically addictive; drowsiness, withdrawal symptoms (i.e., tremors, abdominal and muscle cramps, insomnia, anxiety, convulsions), possible damage to an unborn fetus; possible death

**Schedule V**

Schedule V drugs, substances, or chemicals are defined as drugs with lower potential for abuse than Schedule IV and consist of preparations containing limited quantities of certain narcotics. Schedule V drugs are generally used for antidiarrheal, antitussive, and analgesic purposes. Some examples of Schedule V drugs are:

Over-the-counter cough preparations with less than 200 milligrams of codeine or per 100 milliliters (e.g., Robitussin AC); Lomotil; Motofen; Lyrica; parepectolin stimulants

Memphis Theological Seminary  
Drug and Alcohol Prevention and Penalty Policy

---

**Health Risks:** Psychologically and physically addictive; nausea, gastrointestinal symptoms, drowsiness; withdrawal symptoms (i.e., runny nose, watery eyes, panic, chills, cramps, irritability, nausea); possible damage to an unborn fetus.

**Schedule VI**

Schedule VI drugs are:

Marijuana; Tetrahydrocannabinols; Synthetic equivalents of the substances contained in the Cannabis plant or in the resinous extractives of Cannabis

**Health Risks:** Psychologically addictive; increased risk of lung cancer, bronchitis and emphysema; contributes to heart disease, fatigue, paranoia, possible psychosis; withdrawal symptoms (i.e., insomnia, hyperactivity and decreased appetite; depression of the immune system; decrease sperm count in men and irregular ovulation in women).

**TYPES OF ALCOHOL**

**Malt Beverage:** Beer, 0.5 of 1% to 6% alcohol.

**Unfortified Wine:** Not more than 17% alcohol.

**Fortified Wine:** Not more than 24% alcohol.

**Spirituos Liquor:** Distilled spirits or ethyl alcohol, including spirits of wine, whiskey, rum, brandy, gin, etc.

**Mixed Beverage:** A drink composed in whole or part of spirituous liquor.

**Health Risks:** Psychologically and physically addictive; respiratory depression; depression of the immune system; increase risk of heart disease, cancer, accidents, hypertension; brain damage; liver damage; damage to an unborn fetus; impotence at high dosage levels.

## **Appendix B:**

### **Tennessee Regulations**

#### **TYPES OF DRUGS**

**Schedule I:** High potential for abuse; no accepted medical use in the U.S. or lacks accepted safety for use in treatment under medical supervision. Specific drugs refer to TCA 39-17-406.

**Schedule II:** High potential for abuse; the substance has currently accepted medical use in treatment in the US, or currently accepted medical use with severe restrictions; and the abuse of the substance may lead to severe psychic or physical dependence. Specific drugs refer to TCA 39-17-408.

**Schedule III:** Less potential for abuse than the substances listed in Schedules I and II; the substance has currently accepted medical use in treatment in the U.S., and abuse of the substance may lead to moderate or low physical dependence or high psychological dependence. Specific drugs refer to TCA 39-17-410 (includes anabolic steroids).

**Schedule IV:** Low potential for abuse relative to substances in Schedule III; the substance has currently accepted medical in treatment in the US; and abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III. Specific drugs refer to TCA 39-17-412.

**Schedule V:** Low potential for abuse relative to the substances in Schedule IV; the substance has currently accepted medical use in treatment in the US; and the substance has limited physical dependence or psychological dependence liability relative to the substance in Schedule IV. Specific drugs refer to TCA 39-17-414.

**Schedule VI:** Substances not included in Schedules I through V and include marijuana, Tetrahydrocannabinols, and synthetic equivalents of the substances contained in the plant or resinous extractives of Cannabis; sp. and/or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity. TCA 39-17-415.

**Schedule VII:** Substance not included in Schedules I through VI, the controlled substances includes is Butlynitrate and any isomer thereof. Class X: Designated amounts of certain drugs within multiple Schedules Amounts refer to TCA 39-17-417 2)(j)(1-13).

"Mega Drug" Offense: Designated amounts of certain drugs within multiple Schedules. Amounts refer to TCA 39-17-417 (2)(j)(1-13). Deliver or sale of a Schedule I-V to a minor under the age of 12 yrs.

Memphis Theological Seminary  
Drug and Alcohol Prevention and Penalty Policy

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**Alcohol**

TCA 57-3-412(3)(A): It is unlawful for any person under the age of 21 years to have in such person's possession and/or transport any intoxicating liquor for any purpose, whether the same be possessed in a dry county or a wet county. Any person 18 yrs of age or older may, in the course of such person's employment transport, possess, sell and/or dispense intoxicating liquors.

**Penalties**

Class A Misdemeanor: Punished by a fine of not less than \$25 nor more than \$500 and by not more than 30 days of community service work. Upon a person's second or subsequent conviction for such offense, such person shall be punished by a fine of not less than \$50 nor more than \$1,000 and by not more than 30 days of community service work.

**Alcohol**

TCA 57-3-412(4): Any person who purchases an alcoholic beverage for or at the request of a person under 21 years of age commits a Class A Misdemeanor.

**Penalties**

Class A Misdemeanor: jail time of up to 11 months and 29 days.

**Alcohol**

TCA 57-3-412(5)(A): It is unlawful for any person who is younger than 21 years of age to purchaser or attempt to purchase or attempt to purchase any alcoholic beverage.

**Penalties**

Class A Misdemeanor: A person younger than 21 year of age but 18 years of age or older is convicted of the purchase of attempt to purchase of possess alcoholic beverages shall prepare and send to the department of safety, driver control division, within 5 working days of the conviction, an order of denial of driving privileges for the offender.

**Alcohol**

TCA 57-3-412(2)©: Any person under 21 years of age who knowingly makes a false statement or exhibits false identification of the effect that he is 21 or older to any person engaged in the sale of alcohol beverages for the purpose of purchasing or obtaining the same commits a Class A Misdemeanor.

**Penalties**

If the person violating is less than 18 years of age, that person shall be punished by a fine of \$50 or not less than 20 hours of community service work, which fine or penalty shall not be suspended or waived. If the person violating is 18 years of age or older but less than 21, that person shall be punished by a fine of not less than \$50 nor more than \$200 or imprisonment in the county jail or workhouse for not less than 5 days nor more than 30 days.

**Penalties (continued):**

TCA 39-17-418 states it is an offense for a person to knowingly possess or casually exchange a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription order of a medical practitioner. In addition, it is an offense for a person to distribute marijuana not in excess of ½ ounce. A violation of the statute is a Class A Misdemeanor with penalties of up to 11 months and 29 days of jail time and/or a requirement to attend a drug offender school or perform community service work at such a school.

**Alcohol**

TCA 57-4-203(C)(c) It is unlawful for any licensee or other person to sell or furnish any alcoholic beverage to any person who is known to be insane or mentally defective, or to any person who is visibly intoxicated, or to any person who is known to habitually drink alcoholic beverages to excess, to any person who is known to be a habitual user of narcotics of other habit-forming drugs.

**Penalties**

*Class A Misdemeanor, jail time of up to 11 months and 29 days.*

**Driving**

TCA 55-10-401 Driving under the influence of intoxicant or drug prohibited: It is unlawful for any person or persons to drive or to be in physical control of any automobile or other motor vehicle on any of the public roads and highways of the state of Tennessee, or on any streets or alleys, or while on the premises of any shopping center, trailer park or any apartment house complex, or any other premise which is generally frequented by the public at large, while under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system.

**Driving Under the Influence Penalty**

***First Offense:*** Fine of not less than \$350 nor more than \$1,500 and such person or persons shall be confined in the county jail or workhouse for not less than 48 hours nor more than 11 months and 29 days; and loss of driver's license for 1 year.

***Second Offense:*** Fine of not than \$600 nor more than \$3,500 and the person or persons shall be confined in the county jail or workhouse for not less than 45 days nor more than 11 months and 29 days; and loss of driver's license for 2 years. In addition, for a second offense inpatient alcohol or drug treatment.

***Third and Subsequent Offense:*** Fine of not less than \$1,100 nor more than \$10,000 and the person or persons shall be confined in the county jail or workhouse for not less than 120 days nor more than 11 months and 29 days and the court shall prohibit such person or persons from driving a vehicle for a period of time of not less than 3 years nor more than 10 years.

### **Driving Under the Influence (DUI)**

All persons sentenced under TCA 55-10-403(a) shall, in addition to service of at least the minimum sentence, be required to serve the difference between the time actually served and the minimum sentence on probation.

The judge shall impose the following conditions: participation in an alcohol or drug safety DUI school and/or drug offender school program, if available; or upon second or subsequent conviction for violating the provisions of TCA 55-10-401 or 39-17-418, involving the possession of a controlled substance, participation in a program of rehabilitation for alcohol and other drug treatment; and the payment of restitution to any person suffering physical injury or person losses as the result of such and offense. Driving while restriction of license in place is a Class E Felony; 1-6 years in jail.

TCA 55-10-406 Tests for alcohol or drug content of blood. Any person who drives any motor vehicle in the state of Tennessee shall be deemed to have given consent to a test for the purpose of determining the alcohol or drug content of that person's blood; provided that such test is administered at the direction of a law enforcement officer having reasonable grounds to believe such person to have been driving while under the influence or an intoxicant or drug. Any law enforcement officer who requires that the driver of a motor vehicle submit to a test for the purpose of determining the alcohol or the drug content of the driver's blood shall, prior to conducting such test, advise the driver that refusal to submit to such test will result in the suspension of the driver's operator's license by the court. If such person having been placed under arrest and thereafter having been requested by a law enforcement officer to submit to such test and advised of the consequences for refusing to do so, refuses to submit, the test shall not be given and such person shall be charged with driving under the influence.

TCA 55-10-408 Tests for alcohol or drug content of blood— Presumption of intoxication and impairment: Evidence that there was, at the time alleged, .05%, or less, by weight of alcohol in the blood of the defendant, shall create no presumption.

Evidence that there was, at the time alleged, .10% or more by weight of alcohol in the defendant's blood shall create a presumption that the defendant was under the influence of such intoxicant and that the defendant's ability to drive was impaired thereby, sufficiently to constitute a violation of TCA 55-10-401.

If the defendant has been convicted 1 or more times of violating TCA 55-10-401, a presumption that the defendant is under the influence shall be made if the blood alcohol content is .08%.

TCA 55-10-412 Additional penalties—Ignition interlock devices: The court may order the person to operate only a motor vehicle which is equipped with a functioning ignition interlock device and this restriction may continue with a period up to 1 year after such person's license is no longer suspended or restricted.

55-10-416 Open container law: No driver shall consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle.

*Class C Misdemeanor: punishable by fine only*

**Driving Under the Influence (continued)**

TCA 55-10-414 Child endangerment - Drunk driving child protection: A person who violated TCA 55-10-410 and who at the time of the offense was accompanied by a child under 13 years of age commits the offense of child endangerment, a Class A misdemeanor commits a Class D Felony of aggravated child endangerment when the child suffers serious bodily injury as a result of the violation; and commits a Class C Felony of especially aggravated child endangerment when the death of the child is the result of the violation.

*Class A Misdemeanor: up to 11 months and 29 days jail time.*

*Class D Felony: 2-12 years jail time.*

*Class C Felony: 3-15 years jail time.*

TCA 55-10-415 Driving while impaired - Penalties Person age 16 or older but under age 21 may not drive or be in physical control of an automobile or other motor drive vehicle while: the alcohol concentration in the person's blood is more than .02%; or under the influence of alcohol; or under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system; or under the combined effects.

Person 18 or older but less than 21 years of age is a Class A misdemeanor punishable only by a driver license suspension of 1 year and by a fine of \$250. As an additional punishment the court may assign public service hours. Person 16 or over but under 18 years of age commits a delinquent act and is punishable only by a driver license suspension of 1 year and by a fine of \$250. As an additional punishment, the court may impose public service hours.

Memphis Theological Seminary  
Drug and Alcohol Prevention and Penalty Policy

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**Appendix C: Federal Regulations**

**Federal Trafficking Penalties**

**Narcotics Penalties & Enforcement Act of 1986**

<b>Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)</b>				
<b>Schedule</b>	<b>Substance/Quantity</b>	<b>Penalty</b>	<b>Substance/Quantity</b>	<b>Penalty</b>
II	Cocaine 500-4999 grams mixture	<p><b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p><b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 80 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

Memphis Theological Seminary  
Drug and Alcohol Prevention and Penalty Policy

Any Amount Of Other Schedule I & II Substances	<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.
Any Drug Product Containing Gamma Hydroxybutyric Acid	
Flunitrazepam (Schedule IV) 1 Gram	<b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Any Amount Of Other Schedule III Drugs	<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.
	<b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
	<b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
Any Amount Of All Schedule V Drugs F	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.
	<b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

**Possession of Drug Paraphernalia  
Purpose of Ingesting a Controlled Substance**

To possess with intent to sell or deliver to manufacture; or to sell and/or deliver:

One year in prison and/or \$500 fine.  
(Misdemeanor)

Two years in prison and/or \$1,000 fine.  
(Misdemeanor)  
-However-  
Delivery of drug paraphernalia by a person over age eighteen to a person under age eighteen who is at least three years younger than defendant. Five years imprison and/or fine.  
(Felony)

Memphis Theological Seminary  
Drug and Alcohol Prevention and Penalty Policy

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Federal Trafficking Penalties - Marijuana  
Narcotics Penalties & Enforcement Act of 1986

Quantity	Description	First Offense	Second Offense
1,000 kg or more	MARIJUANA Mixture containing detectable quantity. **	Not less than 10 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine not more than \$4 million individual; \$10 million other than individual.	Not less than 20 years; not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual; \$20 million other than individual.
100-1,000 kg	MARIJUANA Mixture containing detectable quantity. **	Not less than 5 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine not more than \$2 million individual; \$5 million other than individual.	Not less than 10 years; not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual; \$10 million other than individual.
50-100 kg 10-100 kg 1-100 kg 100 or more plants	MARIJUANA HASHISH HASHISH OIL MARIJUANA	Not more than 20 years. If death or serious injury, not less than 20 years; not more than life. Fine \$1 million individual; \$5 million other than individual.	Not more than 30 years. IF death or serious injury, not less than life. Fine \$2 million individual; \$10 million other than individual.
Less than 50 kg Less than 10 kg Less than 1 kg	MARIJUANA HASHISH HASHISH OIL	Not more than 5 years. Fine not more than \$250,000 individual; \$1 million other than individual.	Not less than 10 years. Fine \$500,000 individual; \$2 million other than individual

Memphis Theological Seminary  
Drug and Alcohol Prevention and Penalty Policy

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**Federal Trafficking Penalties**

**Narcotics Penalties and Enforcement**

Drug- Others \* Does Not include Marijuana or Hashish Oil.  
Quantity- Any

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

Second offense- Not More than 30 years. If death or serious injury, Life. Fine 2 million individual: \$19 million not individual.

Sch. III  
Drug –All  
Quantity-Any

First Offense- Not more than 5 years. Fine not more than \$250,000 individual \$1 million not individual.

Second Offense- Not more than 1 years. Fine not more than \$500,000 individual; \$2million not individual.

Sch. IV  
Drug –All  
Quantity\_ Any

First Offence\_ Not more than 6 years. Fine not more than \$250,000 individual \$1 million not individual.

Second Offense- Not more than 8 years. Fine not more than \$500,000 individual; \$2 million not individual.

Sch. V  
Drug –All  
Quantity\_ Any

First Offence\_ Not more than 1 year. Fine not more than \$100,000 individual \$250,000 not individual.

Second Offense- Not more than 2 years. Fine not more than \$200,000 individual; \$500,000 not individual.

Memphis Theological Seminary  
Drug and Alcohol Prevention and Penalty Policy

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**Narcotics Penalties and Enforcement (continued):**

Counterfeit Controlled Substances

To create, sell, or possess with intent to sell or deliver; Maximum penalty: Five (5) years in prison and/or fine.

Counterfeit Controlled Substance. (Any substance that is represented as a controlled substance.)

***For Your Information:***

If any person commits a controlled substance violation in which the punishment includes imprisonment for not more than two years and if he/she has been previously convicted for one or more controlled substance violations, he/she shall be punished as a Class I Felon. Up to five (5) years in prison and/or fine.

If the violation includes imprisonment for not more than six (6) months in prison and if he/she has been previously convicted of one or more violations, two (2) years and/or maximum fine of \$2,000.

Any person eighteen (18) years of age or older who sells or delivers any controlled substance to a person under sixteen years of age shall be punished as a Class E Felon. Up to thirty (30) years in prison and/or fine.

## **Appendix D**

### **Alcohol and Drug Resources**

*Note: The resources listed below for information purposes only. Memphis Theological Seminary does not endorse or oppose the services offered by these organizations. It is our hope that individuals struggling with substance abuse issues will seek immediate help.*

**Alcoholics Anonymous – Shelby County 901.452.0923**

**Alcoholics Anonymous – Desoto County 662.280.3435**

#### **Grace House (Women)**

*329 N Bellevue Blvd.*

*Memphis, TN 38105*

901.722.8460

[www.gracehouseofmemphis.org](http://www.gracehouseofmemphis.org)

#### **Harbor House Alcohol and Drug for Men**

*1979 E Alcy Road*

*Memphis, TN 38114*

901.743.1836

[www.harborhousememphis.org](http://www.harborhousememphis.org)

#### **Serenity Recovery Centers**

*1094 Poplar Avenue*

*Memphis, TN 38105*

901.521.1131

[www.serenityrecovery.org](http://www.serenityrecovery.org)

#### **Memphis Recovery Centers**

*219 N Montgomery Street*

*Memphis, TN 38104*

901.272.7751

[www.memphisrecovery.com](http://www.memphisrecovery.com)

#### **La Paloma**

*1248 LaPaloma Street*

*Memphis, TN 38114*

901.505.6518

<http://theoakstreatment.com/>