



Drug Free Schools and Campuses Regulations [EDGAR 86] Biennial Review Academic Years  
2021 & 2022

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December 2022

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## **Executive Summary**

This Biennial Report was compiled and written by the members of the Alcohol, Tobacco, and Other Drug (ATOD) Prevention Center, covering academic years 2020-2021 and 2021-2022. Contributions were made by campus partners to provide important information, updates, and data to support this review; contributions were made by the Office of Student Conduct & Civility Education, Human Resources, Fraternity & Sorority Life, and Housing and Residence Life to name a few. Assessment, survey, and evaluation data are important tools to help us better understand our campus community perceptions, behaviors, and needs which also serves to inform our programming goals. Consequently, this information gleaned from the CORE Survey, NCHA, and Maryland College Alcohol Survey, Party 101 evaluations, etc. also contributed largely to this report.

## **Introduction to Towson University**

Towson University is a public university located in Towson, Maryland, a suburb of Baltimore City. Rich in academia, the Baltimore metropolitan area boasts more than 20 colleges and universities with Towson University recognized as the largest in the immediate Baltimore area, and second largest within the University System of Maryland.

As noted on the Towson University website <https://www.towson.edu/ir/student-data.html>, the Fall 2022 semester the total enrollment of Towson University was 19,793 students; composed of 16,861 undergraduate and 2,932 graduate students. One of Towson University's key values is that of diversity. Towson University is committed to creating a campus which fosters respect and inclusion. Based on the enrollment data for the Fall 2022 semester 45.8% of Towson University students identify as White, 27.9% as African American or Black, 9.5% as Latinx, 6.5% as Asian, 5.2% as multi-racial, and 2% International Students. When discussing the rich diversity of Towson University it is important to note that there is no identified achievement gap for minority students, who achieve the same academic success and graduation rates as the entire campus population.

**Program inventory and assessment**

**Programs/interventions at the individual level**

<b>Program:</b> Assessments		
<b>Description:</b> Full clinical evaluations of students’ substance use, and psychosocial histories and statuses. The goal of assessments is to determine if additional interventions are needed and what those interventions might be.		
<b>Location</b>	Counseling Center	
<b>Timing</b>	By appointment	
<b>Target</b>	Students who have been sanctioned, referred by a campus partner, or present with their own concerns.	
<b>Classification</b>	Indicated	
<b>College AIM</b>	IND-27 Screening and behavioral treatments	
<b>Category</b>	Treatment	
<b>Data</b>	2020-2021	31 students
	2021-2022	88 students

<b>Program:</b> BASICS		
<b>Description:</b> Two individual sessions designed to help students reflect on substance use and develop and implement a plan for behavior change.		
<b>Location</b>	Counseling Center	
<b>Timing</b>	By appointment	
<b>Target</b>	Sanctioned students	
<b>Classification</b>	Indicated	
<b>College AIM</b>	IND-18 Brief motivational intervention (BMI): In-person, Individual	
<b>Category</b>	Treatment	
<b>Data</b>	2020-2021	0 students
	2021-2022	1 student

<b>Program:</b> Counseling (individual for ATOD)		
<b>Description:</b> Individual counseling sessions focusing on addressing substance use or the intersection of substance use with other concerns.		
<b>Location</b>	Counseling Center	
<b>Timing</b>	By appointment	
<b>Target</b>	Students identified through assessment process as needing additional therapeutic interventions who are suitable for outpatient treatment.	
<b>Classification</b>	Indicated	
<b>College AIM</b>	IND-27 Screening and behavioral treatments	

<b>Category</b>	Treatment	
<b>Data</b>	2020-2021	13 students/ 64 sessions
	2021-2022	39 students/ 141 sessions

<b>Program:</b> eCheckup		
<b>Description:</b> The eCheckup programs are personalized, evidence-based, online prevention interventions. We offer the alcohol and cannabis programs.		
<b>Location</b>	ATOD Prevention Center	
<b>Timing</b>	Pre-matriculation to Towson University	
<b>Target</b>	In-coming students	
<b>Classification</b>	Selective	
<b>College AIM</b>	IND-24 Personalized feedback intervention	
<b>Category</b>	Screening	
<b>Data</b>	2020-2021	16 alcohol/21 cannabis
	2021-2022	9 alcohol/40 cannabis

<b>Program:</b> Employee Assistance Program		
<b>Description:</b> The EAP is provided by ComPsych® Guidance Resources and offers counseling, legal and financial consultation, work-life assistance and crisis intervention services to employees and their dependents free of charge.		
<b>Location</b>	Human Resources	
<b>Timing</b>	On-going	
<b>Target</b>	All employees	
<b>Classification</b>	Health promotion	
<b>College AIM</b>	IND-27 Screening and behavioral treatments	
<b>Category</b>	Screening	
<b>Data</b>	2020-2021	0 15-day suspensions 1 termination
	2021-2022	2 15-day suspensions 1 termination

<b>Program:</b> Screening, Brief Intervention, and Referral to Treatment		
<b>Description:</b> University Health Services provides a substance use screening tool to students at each annual visit. Referrals to substance use counselors or smoking cessations programs are made based on responses.		
<b>Location</b>	University Health Services	
<b>Timing</b>	By appointment	
<b>Target</b>	General student population	
<b>Classification</b>	Universal prevention	
<b>College AIM</b>	IND-27 Screening and behavioral treatments	

<b>Category</b>	Screening	
<b>Data</b>	2020-2021	0 students
	2021-2022	2 students

<b>Program: Smoking Cessation Coaching</b>		
<b>Description:</b> The University Health Services offers behavioral counseling and medications with a smoking cessation specialist for students, faculty, and staff interested in quitting smoking or vaping.		
<b>Location</b>	University Health Services	
<b>Timing</b>	By appointment	
<b>Target</b>	Students, faculty, staff	
<b>Classification</b>	Indicated	
<b>College AIM</b>	N/A	
<b>Category</b>	Treatment	
<b>Data</b>	2020-2021	12 visits/4 clients
	2021-2022	8 visits/2 clients

#### Programs/interventions at the group level (students/employees)

<b>Program: Alcohol-free housing</b>		
<b>Description:</b> Students under the age of 21 are prohibited from possessing alcohol or related paraphernalia in their residence halls. This is intended to create a living environment that is free from alcohol.		
<b>Location</b>	Housing and Residence Life	
<b>Timing</b>	On-going	
<b>Target</b>	Undergraduate student population	
<b>Classification</b>	Health promotion	
<b>College AIM</b>	ENV-10 Establish substance-free residence halls	
<b>Category</b>	Environment	
<b>Data</b>	2020-2021	18 residence halls
	2021-2022	18 residence halls

<b>Program: Alcohol-free programs</b>		
<b>Description:</b> In light of the COVID-19 pandemic, we offered a hybrid of both virtual and in person programs during the past two years.		
2020-2021 event highlights:		
<ul style="list-style-type: none"> <li>• Welcome to TU Events: Find the Gnome, Wellness Pack Giveaways, Virtual Quiplash game, Virtual Alcohol &amp; Marijuana 101 workshop, Virtual Pen Party with Natterdoodle, Wellness Wednesday Trivia</li> <li>• Weekly Q&amp;A's and Polls on IG &amp; Turn Up Tip TUESdays on Tik Tok videos</li> </ul>		

- Bi-weekly Yappy Hour on Zoom and bi-weekly Thirsty Thursday videos
- Virtual Munchies Bingo game nights & Wellness Trivia
- Virtual Quiplash nights and Netflix movie screenings
- IG Lives & Q&A's, Virtual Halloween Party & Murder Mystery events
- Annual Sober October pledge
- The Art of Self-Expression & Art Party with Natterdoodle
- Virtual Great American Smoke Out “bonfire” and trivia, Virtual Paint & Sip
- PartyBoi documentary screening & Q&A
- Guest Speaker Dan Fail for Greek Life
- In-person National Alcohol Screening Day event

2021-2022 events:

- Welcome to TU events: Find the Gnome, Substance Use Jeopardy, Wellness Wednesday peer education intro, Lawn Games & S'mores, Care bags, Growing in Your Wellness, Tye-Dye event
- Red Zone Inside Scoop events & Touched by Addiction
- Continued weekly Q&As on IG and Turn Up TUESdays on Tik Tok
- Resource fair & Health fair at TUNE & Hazing prevention event with Greek Life
- Queer Wellness Week and Menstrual Health Week programs
- Annual Sober October, mocktail party & Trick or Treat Halloween Party
- Finals Kits, Conversations about Conversations
- Sex in the Dark & Involvement Fairs
- Safe Squad Goals workshop & NEDA week events
- Firepit Fridays and National Sleep Week events
- Par-Tee Smart Safe Spring Break event
- Alcohol Awareness Month events, Munchies Bingo, Paint & Sips
- Annual Wellness Carnival and Carnival at TUNE
- Addiction Resource Panel, Take Back the Night

<b>Location</b>	ATOD Prevention Center	
<b>Timing</b>	On-going during the academic year	
<b>Target</b>	Welcome to TU events target incoming first-year and transfer students. September 2019 events target students in recovery. All other events target general student population.	
<b>Classification</b>	Universal prevention/ health promotion	
<b>College AIM</b>	ENV-Require alcohol-free programming	
<b>Category</b>	Environment	
<b>Data</b>	2020-2021	190 events
	2021-2022	222 events

**Program:** Bystander intervention programs

**Description:** Safe Squad Goals workshops focused on alcohol education, harm reduction, and bystander intervention strategies. Delivered to specific organizations such as new Greek Life members and some student athletes.

Sex in the Dark: Event focused on sex health education, substance use, and bystander intervention collaboration with Health Center, ATOD, and many other campus departments. Event hosted once every February.

Inside Scoop programs delivered to residential living students during the Red Zone (first 4-6 weeks of academic year). Collaboration between Health Center, ATOD, and Housing and Residence Life. Program provides education on consent, alcohol safety, bystander intervention, and campus resources.

Targeted programs during Domestic Violence Awareness Month (October) & Sexual Assault Awareness Month (April) delivered by ATOD in collaboration with the Health Center to talk about substance use safety and bystander intervention.

Various social media videos and events via Tik Tok and Instagram Live also delivered on this topic throughout the year.

<b>Location</b>	University Health Center, ATOD Prevention Center	
<b>Timing</b>	Reoccurring during the academic year	
<b>Target</b>	Safe Squad Goals workshop are targeted towards Greek Life. Sex in the Dark targets the general student population.	
<b>Classification</b>	Universal/selective prevention	
<b>College AIM</b>	ENV-6 Implement bystander interventions	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	9 events/programs
	2021-2022	18 events/programs

**Program:** Consistent policy enforcement

**Description:** Campus policies are enforced through a variety of campus partners to hold members of the campus community accountable.

<b>Location</b>	Student Conduct, Housing and Residence Life, TUPD, Human Resources	
<b>Timing</b>	On-going	
<b>Target</b>	All members of the Towson University community	
<b>Classification</b>	Health promotion	
<b>College AIM</b>	ENV-11 Enforce age-21 drinking age	
<b>Category</b>	Enforcement	
<b>Data</b>	2020-2021	173 recorded policy violations
	2021-2022	238 recorded policy violations

**Program:** Prescription Medication Safety Education

**Description:** Education about safe medication practices, preventing drug misuse, and how to help a friend is provided to numerous groups on campus such as Greek Life, varsity athletes, club sports athletes, students in the academic renewal program, and the general student body.

<b>Location</b>	ATOD Prevention Center	
<b>Timing</b>	On-going	
<b>Target</b>	Students	
<b>Classification</b>	Selective prevention	
<b>College AIM</b>	N/A	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	0 students/0 programs
	2021-2022	658 Students/24 programs

<b>Program:</b> Living-learning communities		
<b>Description:</b> The Alcohol-Free Residential Learning Community is an on-campus housing option for students who are committed to living an alcohol-free lifestyle. Students in this community sign an agreement with their commitment to an alcohol-free lifestyle and participation in community activities and engagements. This community is in partnership with the Counseling Center and Housing & Residence Life.		
<b>Location</b>	Housing and Residence Life	
<b>Timing</b>	On-going	
<b>Target</b>	Undergraduate students	
<b>Classification</b>	Universal prevention	
<b>College AIM</b>	ENV-10 Establish substance-free residence halls	
<b>Category</b>	Environment	
<b>Data</b>	2020-2021	36 residents
	2021-2022	38 residents

<b>Program:</b> Nature Rx		
<b>Description:</b> A program designed to help members of the Towson University community connect with nature through mindfulness. The intent is that by learning healthy ways to cope with stress students and employees will be less likely to use substances as a coping strategy.		
<b>Location</b>	ATOD Prevention Center and Campus Recreation Outdoor Adventure Office	
<b>Timing</b>	On-going (bi-weekly)	
<b>Target</b>	All students and employees	
<b>Classification</b>	Universal/ selective prevention	
<b>College AIM</b>	N/A	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	0 students/ 0 employees
	2021-2022	27 students/ 4 employees

<b>Program:</b> Online education for incoming students		
<b>Description:</b> Required courses for incoming students are delivered online through the program Safe Colleges. First-year, transfer, and graduate students are required to complete the Alcohol and Other Drugs course, which educates about the risks of abuse of alcohol and other drugs as well as teaches harm reduction strategies.		

<b>Location</b>	ATOD Prevention Center	
<b>Timing</b>	Completion available July 1-August 15	
<b>Target</b>	Incoming first year, transfer, and graduate students	
<b>Classification</b>	Selective prevention	
<b>College AIM</b>	IND-21 Multi-component education-focused programs	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	5,809 students
	2021-2022	4,575 students

<b>Program: Party 101</b>		
<b>Description:</b> Party101 is a sanctioned educational program delivered to students who violate certain student conduct policies related to substance use. Once a single, 3-hour educational lecture, Party 101 is now a two-part series: Part 1 includes an hour-long educational program. Part 2 includes a group discussion about personal substance use behaviors, self-reflection, and goal setting. In between Part 1 and 2 students are required to track their substance use behaviors and complete e-CHECKUP to Go.		
<b>Location</b>	Counseling Center	
<b>Timing</b>	Reoccurring	
<b>Target</b>	Sanctioned students	
<b>Classification</b>	Indicated	
<b>College AIM</b>	IND-17 Brief motivational intervention (BMI): In-person-Group	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	17 students
	2021-2022	56 students

<b>Program: Peer Education Program</b>		
<b>Description:</b> The ATOD Prevention grant supports the prevention efforts of the ATOD Peer Education Program. The program is built on the value of harm reduction, helping peer educators learn how to empower their peers to make educated and informed decisions about their substance use. Having ATOD peer educators provide prevention and education services creates a comfortable environment for TU students to discuss their substance use behaviors, questions, and concerns, and helps create a culture of safety around use. Peers leading these conversations helps to reduce stigma around substance use and access to campus resources. Peer educators are critical partners in outreach programs and create unique and exciting ideas for interactive programs on-campus, as well as through social media.		
<b>Location</b>	Counseling Center	
<b>Timing</b>	On-going	
<b>Target</b>	Students are accepted into the peer education program after completing an application and interview process.	
<b>Classification</b>	Universal	
<b>College AIM</b>	N/A	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	10 peer educators

	2021-2022	13 peer educators
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<b>Program:</b> Peer-education workshops		
<b>Description:</b> The peer educators are trained in delivering a variety of workshops including Alcohol 101, Alcohol and Marijuana 101, Substance Use Jeopardy, Turn-Up Trivia, Alcohol and Stress, Prescription Medication Safety, Safe Squad Goals  In 2020-2021, peer educators delivered all workshops virtually due to the COVID-19 pandemic. We were back to an in-person learning environment for the 2021-2022 academic year. They deliver workshops to a variety of groups such as Greek Life organizations, classrooms, student organizations, club sports teams, and the general student body.		
<b>Location</b>	Counseling Center	
<b>Timing</b>	On-going	
<b>Target</b>	Sports teams, Greek Life, Residence Halls, Classrooms	
<b>Classification</b>	Selective	
<b>College AIM</b>	IND-1 Information/knowledge/education alone	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	18 workshops
	2021-2022	18 workshops

<b>Program:</b> Presentations to various campus groups		
<b>Description:</b> <b>2020-2021 Presentations:</b> <ul style="list-style-type: none"> <li>• Core Survey dissemination to First Year Experience Advisors (Faculty)</li> <li>• Core Survey dissemination to First Year Experience Leaders (Student leaders)</li> <li>• ATOD Webinar Series</li> </ul> <b>2021-2022 Presentations:</b> <ul style="list-style-type: none"> <li>• Core Survey dissemination to First Year Experience Advisors (Faculty)</li> <li>• Core Survey dissemination to First Year Experience Leaders (Student leaders)</li> <li>• Recovery Ally Trainings</li> <li>• ATOD Webinar Series</li> <li>• NASPA Strategies Presentation-Innovations in Social Media: A Tool for Prevention</li> <li>• Data Informed Prevention, training to TUCC Doctoral Interns</li> <li>• Introduction to Public Health Models, training to TUCC Doctoral Interns</li> <li>• ATOD Prevention Center Overview training to TUCC staff</li> <li>• Psyc420: Cannabis training to TUCC doctoral interns/trainees</li> </ul>		
<b>Location</b>	ATOD Prevention Center	
<b>Timing</b>	On-going	
<b>Target</b>	Campus Departments, Faculty, Staff, and Student Leaders	
<b>Classification</b>	Selective	
<b>College AIM</b>	IND-1 Information/knowledge/education alone	
<b>Category</b>	Education	

<b>Data</b>	2020-2021	8 presentations
	2021-2022	20 presentations

<b>Program:</b> Social norms campaigns		
<b>Description:</b> Social norms campaigns are delivered via social media channels, bus panel marketing, advertising in the Towerlight student newspaper, and through educational handouts. Campaigns typically target channeling myths about perceptions of rates of different substances with TU students. This includes marijuana use and stimulant use, especially around finals and midterms.		
<b>Location</b>	ATOD Prevention Center	
<b>Timing</b>	Year-round	
<b>Target</b>	General student population	
<b>Classification</b>	Health promotion	
<b>College AIM</b>	ENV-7 Conduct campus-wide social norms campaign	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	62 campaigns
	2021-2022	50 campaigns

<b>Program:</b> Substance-free new student orientation		
<b>Description:</b> New student orientation occurs every winter and summer. Presentations include education on opioid use, misuse, prevention, and general substance use safety information and harm reduction strategies. In the fall 2020, this information was delivered virtually via Zoom due to the COVID-19 pandemic. In the spring semesters of 2021 & 2022, this information was delivered via powerpoint slides on a virtual platform to incoming students.		
<b>Location</b>	New Student and Family Programming	
<b>Timing</b>	New student orientations in the Summers and Winters	
<b>Target</b>	In-coming first year and transfer students	
<b>Classification</b>	Selective	
<b>College AIM</b>	ENV-2 Require alcohol-free programming	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	1 presentation/1,899 students
	2021-2022	1 presentation/2,000 students

<b>Program:</b> Support groups		
<b>Description:</b> Based on student need, the Counseling Center offers support groups related to substance use and related issues. In past years we have offered groups for students wanting to address and reduce their use of alcohol as well as marijuana.		
<b>Location</b>	Counseling Center	
<b>Timing</b>	Reoccurring	
<b>Target</b>	Students that have either been self or clinically identified	
<b>Classification</b>	Indicated	
<b>College AIM</b>	IND-27 Screening and behavioral treatments	

<b>Category</b>	Treatment	
<b>Data</b>	2020-2021	1 offered
	2021-2022	1 offered

<b>Program:</b> Tigers in Recovery, collegiate recovery program		
<b>Description:</b> This program supports students in recovery from substance use disorders as well as fostering a sense of community and connection between students.		
<b>Location</b>	Counseling Center	
<b>Timing</b>	On-going	
<b>Target</b>	Students in recovery from substance use disorders	
<b>Classification</b>	Indicated	
<b>College AIM</b>	N/A	
<b>Category</b>	Recovery	
<b>Data</b>	2020-2021	3 students
	2021-2022	2 students

<b>Program:</b> TIPS training		
<b>Description:</b> a skills-based training program designed to prevent intoxication, underage drinking, and drunk driving, provided to student leaders within both Greek Life and Sports Clubs.		
<b>Location</b>	Student Life	
<b>Timing</b>	On-going	
<b>Target</b>	Student Leaders	
<b>Classification</b>	Selective	
<b>College AIM</b>	ENV-14 Implement beverage service training programs: Sales to intoxicated	
<b>Category</b>	Education	
<b>Data</b>	2020-2021	300 students
	2021-2022	429 students

**Programs at the environmental level (the University and surrounding community)**

<b>Program:</b> Baltimore County Coalition to Reduce Underage Drinking (CUD)		
<b>Description:</b> The Combating Underage Drinking (CUD) Coalition consists of a diverse group of individuals dedicated to reducing both underage access to alcohol as well as excessive drinking by underage youth. Through collaboration, coalition members meet regularly to discuss and develop strategies to reduce underage drinking, college drinking, excessive drinking and related consequences.		
<b>Location</b>	Baltimore County Department of Health/ ATOD Center	
<b>Timing</b>	Reoccurring	

<b>Target</b>	Baltimore County	
<b>Classification</b>	Health promotion	
<b>College AIM</b>	N/A	
<b>Category</b>	Coalition	
<b>Data</b>	2020-2021	5 meetings
	2021-2022	5 meetings

<b>Program:</b> Maryland Collaborative to Reduce Underage Drinking and Related Problems		
<b>Description:</b> The Maryland Collaborative to Reduce College Drinking and Related Problems is made up of colleges and universities in Maryland that are joining together with community partners to reduce college alcohol use and create environments, policies and practices that support a safe and healthy college experience that prepares students to succeed in college and beyond.		
<b>Location</b>	ATOD Prevention Center, Johns Hopkins University, University of Maryland College Park	
<b>Timing</b>	Reoccurring	
<b>Target</b>	Institutions of higher education in Maryland	
<b>Classification</b>	Health promotion	
<b>College AIM</b>	N/A	
<b>Category</b>	Coalition	
<b>Data</b>	2020-2021	13
	2021-2022	15

<b>Program:</b> Representation at neighborhood associations and with University Relations Committee (URC)		
<b>Description:</b> To be a proactive partner in the community Towson University attends meetings of the surrounding neighborhood associations, and is part of the URC, which was formed specifically to promote positive relations between TU and the surrounding residential communities. These partnerships allow the University to identify and address issues that may arise in the community due to the behaviors of students.		
<b>Location</b>	The Office of Civic Engagement and Social Responsibility	
<b>Timing</b>	On-going	
<b>Target</b>	Students living off-campus and the Towson community	
<b>Classification</b>	Health Promotion	
<b>College AIM</b>	N/A	
<b>Category</b>	Coalition	
<b>Data</b>	2020-2021	8
	2021-2022	8

<b>Program:</b> Substance Education Concerns Committee		
<b>Description:</b> The Substance Education Concerns Committee creates and maintains a committed campus environment that promotes academic success, well-being and the development of healthy choices and responsible behavior. The Committee serves as an		

advisory committee to the President on issues related to alcohol and other drugs including recommendations regarding policy, strategies, and actions. Additionally, the Committee serves as the University’s coordinating committee for alcohol and substance related issues and prevention efforts.

<b>Location</b>	Division of Student Affairs	
<b>Timing</b>	Reoccurring	
<b>Target</b>	The general student population	
<b>Classification</b>	Health promotion	
<b>College AIM</b>	N/A	
<b>Category</b>	Coalition	
<b>Data</b>	2020-2021	4 meetings
	2021-2022	6 meetings

## **Policy and enforcement**

This section provides a list of policies which the University has adopted as well as data indicating the enforcement of those policies. It is important to note the all policy violations occurring at Towson University branch campuses are addressed through the appropriate offices on the main campus. As a result separate data are not available for violations of policy which occurred on the grounds of the branch campuses.

### **Policy inventory**

<b>Policy:</b> Code of Student Conduct	
<b>Description:</b> This code educates students on the acceptable standards of behavior on campus as well as lists prohibited actions and sanctions for violations.	
<b>Responsible Office</b>	The Office of Student Conduct and Civility Education
<b>Link</b>	<a href="https://www.towson.edu/studentaffairs/policies/conduct.html">https://www.towson.edu/studentaffairs/policies/conduct.html</a>

<b>Policy:</b> Policies for On-Campus Housing	
<b>Description:</b> These policies are in addition to the Code of Student Conduct that residents are expected to adhere to. Persons violating any policies while in on-campus housing will be held responsible through the process outlined in Towson University's Code of Student Conduct.	
<b>Responsible Office</b>	Department of Housing and Residence Life
<b>Link</b>	<a href="https://www.towson.edu/studentlife/housing/campus/resources/policies.html">https://www.towson.edu/studentlife/housing/campus/resources/policies.html</a>

<b>Policy:</b> Student-Athlete Conduct Policy	
<b>Description:</b> This code of conduct outlines behaviors that are consistent with the values of the not only the Athletic Department but the University as a whole. Additionally, it explains actions that can be taken if a student-athlete violates these standards.	
<b>Responsible Office</b>	Athletic Department
<b>Link</b>	<a href="https://towsontigers.com/documents/2019/10/1//Handbook_Student_Athlete_Conduct_1_.pdf?id=11838">https://towsontigers.com/documents/2019/10/1//Handbook_Student_Athlete_Conduct_1_.pdf?id=11838</a>

<b>Policy:</b> Student-Athlete Drug Testing Protocol	
<b>Description:</b> This protocol outlines not only the procedure by which drug testing is administered, but it also details the interventions and support services available to student-athletes who by be struggling with a substance use issues.	
<b>Responsible Office</b>	Athletic Department
<b>Link</b>	<a href="https://towsontigers.com/documents/2018/8/23//Handbook_Drug_Testing_Protocol.pdf?id=9299">https://towsontigers.com/documents/2018/8/23//Handbook_Drug_Testing_Protocol.pdf?id=9299</a>

<b>Policy:</b> State of Maryland Substance Abuse Policy Executive Order	
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<b>Description:</b> The State of Maryland substance abuse policy was enacted on April 1, 1991. It prohibits state employees from abusing alcohol or drugs, committing a controlled dangerous substance offense, and committing an alcohol driving offense; prohibits appointing authorities from hiring anyone whom it knows currently abuses drugs or alcohol; and encourages employees experiencing substance abuse problems to seek assistance through the employer, the employer's employee assistance program, or a certified rehabilitation program. The policy also provides specific direction on alcohol and drug abuse.	
<b>Responsible Office</b>	Finance Office
<b>Link</b>	<a href="https://dbm.maryland.gov/employees/Documents/Policies/SubstanceAbusePolicy.pdf">https://dbm.maryland.gov/employees/Documents/Policies/SubstanceAbusePolicy.pdf</a>

<b>Policy:</b> Towson University Policy	
<b>Description:</b> This policy safeguards resources and assures compliance with University System of Maryland Policy VII-1.10, Policy on a Drug and Alcohol-Free Workplace for Employees ( <a href="https://www.usmd.edu/regents/bylaws/SectionVII/VII110.pdf">https://www.usmd.edu/regents/bylaws/SectionVII/VII110.pdf</a> ) and local, state and federal laws.	
<b>Responsible Office</b>	Finance Office
<b>Link</b>	<a href="#">07-01.10 – Policy on Substance Abuse for Faculty, Staff and Students   Towson University</a>

<b>Policy:</b> University System of Maryland Policy	
<b>Description:</b> This policy outlines the philosophy of the University System of Maryland as it relates to addressing substance use on member campuses.	
<b>Responsible Office</b>	Finance Office
<b>Link</b>	<a href="https://www.towson.edu/about/consumer/substance.html">https://www.towson.edu/about/consumer/substance.html</a>

**Violations and frequency (number of students found responsible for violations)**

<b>Violations</b>	<b>Academic year 2020-2021</b>	<b>Academic year 2021-2022</b>
Possession/use of alcohol	51	120
Providing alcohol to minors	7	5
Consuming alcohol from open container in public	0	0
Public intoxication	10	31
Possession/use of illegal drugs	11	44
Sale/distribution of drugs	1	0
Possession, distribution, misuse of prescriptions	0	0
Housing and residence life alcohol violations	93	38

## Number and type of sanctions

### *Housing and Residence Life Sanctions*

<b>Sanction</b>	<b>Academic year 2020-2021</b>	<b>Academic year 2021-2022</b>
Written warning	39	77
Educational task	5	7
Removal of offending item	0	4
Other	33	5
<b>Total</b>	<b>77</b>	<b>93</b>

### *Human Resources Sanctions*

<b>Sanction</b>	<b>Academic year 2020-2021</b>	<b>Academic year 2021-2022</b>
15 day suspension	0	2
Counseling memo	0	0
Termination of contract	1	1
<b>Total</b>	<b>1</b>	<b>3</b>

### *Student Conduct Violations and Sanctions*

<b>Sanction</b>	<b>Academic year 2020-2021</b>	<b>Academic year 2021-2022</b>
“Party 101” alcohol education workshop	16	49
Alcohol eCheckUp To Go (formerly Alcohol EDU)	16	5
Marijuana eCheckUp To Go	3	14
Alcohol/ Drug Assessment (Counseling Center)	8	94
BASICS alcohol/drug program	0	4
Marijuana 101	-	-
Substance abuse ed./treatment (off-campus)	1	1
Deferred removal from housing	72	11
Deferred suspension	44	545
Fine	16	0
Parental notification	3	45
Probation	240	355
Removed from on-campus housing	17	6
Suspension	26	34
Written warning	212	150
<b>Total</b>	<b>674</b>	<b>1313</b>

## **AOD related highlights and significant accomplishments**

Towson University recognizes the importance of consistent, collaborative, and innovative work in addressing alcohol and drug issues within our community. Furthermore, understanding the intricate relationship between alcohol and drugs with mental health concerns and other behavioral addictions is an additional value upheld by the ATOD staff. The following are worth mentioning as significant accomplishments of our work during this review period.

- Alcohol, Tobacco, and Other Drug (ATOD) prevention grant, in the amount of \$159,701, awarded for both FY21 and FY22.
  - The ATOD grant, awarded through the Maryland Department of Health, is the primary source of funding for ATOD prevention programming on campus.
- Increased ATOD personnel:
  - In addition to Towson University employees, the ATOD Prevention Center supplements its staffing with graduate assistants, peer educators, and undergraduate interns. These students are vital to the overall functioning of the center, provide support in preparing and conducting workshops/presentations, data analysis of surveys, and in using technology/social media to expand our reach and connection to students.
- SAMHSA's Communities Talk: During the Fall 2021 semester, the ATOD Prevention Center was awarded a \$750 stipend through SAMHSA's Communities Talk to Prevent Underage Drinking initiative. With this stipend, Towson University's ATOD Prevention Center hosted a sober tailgate serving as an alternative to drinking for students, parents, and the community prior to the Homecoming football game. The tailgate offered food, information about campus resources, giveaways, and strategies to support risk reduction and looking out for a friend.
- Generation Rx Grant: In July 2021 the ATOD Prevention Center's grant application for a Generation Rx award was accepted for funding, in the amount of \$1000. Later in the Fall 2021 semester, the ATOD Prevention Center was asked to participate in additional programming and data collection through a Supplemental Grant award of an additional \$1000.
  - A partnership between the Ohio State University College of Pharmacy and the Cardinal Health Foundation, Generation Rx educates people of all ages about the potential dangers of misusing prescription medications.
  - The Zeta Tau Alpha Foundation, Generation Rx, and the Higher Education Center for Alcohol and Drug Misuse Prevention and Recovery join to award campuses mini grants to disseminate and use Generation Rx University educational resources.
  - The goal is to educate undergraduates about safe medication practices through partnerships with campus student wellness offices or other campus groups. Campuses are required to partner with their Office of Fraternity and Sorority Life to provide at least 10 educational sessions, seven of which would directly focus on fraternities and sororities.

- Through the initial grant award, the TU ATOD Prevention Center partnered with Fraternity & Sorority Life, the Academic Renewal Program—a collaborative effort between the Office of Academic Advising, Retention, & Completion and the Tutoring and Learning Center, the Towson University Police Department, and the Athletic Department – specifically the football and men’s lacrosse teams.
- Through the Supplemental Grant award, the TU ATOD Prevention Center partnered with Campus Recreation Club Sports.
  - Through this grant opportunity, the ATOD Prevention Center delivered 23 programs on prescription medication education and safety to over 600 students.
- The Generation Rx grant proved to be the catalyst needed to establish intentional programming related to prescription drug misuse, and to build partnerships with campus departments connected to a ‘presumed’ high risk population of students.
  - Increase awareness of the connection between substance use and academic difficulties.
  - Increase awareness of the connection between substance use and physical injury, complications in recovery returning from injury, and returning to training following COVID.
  - Increase awareness of proper and safe drug disposal through partnership with TUPD and ‘drug take-back’ days.
- Agility Grant – Agility grant funding is awarded through the National Council on Problem Gambling to support gambling prevention programming and innovation. The program is financially supported by the National Football League Foundation and FanDuel. In March 2022, the Towson University ATOD Prevention Center’s grant application was accepted and awarded \$40,000 to support gambling prevention for the 2022-2023 academic year.
  - Grant goals include:
    - Increase awareness about gambling – what it is, risks/warning signs of problem gambling.
    - Increase peer support talking about gambling through development of a train-the-trainer program.
    - Provide access to self-screenings
    - Increase awareness and understanding of harm reduction strategies and resources for support.
  - Programming is inclusive to the entire TU campus community, as well as more intentional programming with student athletes, fraternity and sorority life, peer educators, and other student leaders.
  - The perception that gambling and substance use are interrelated exists and warrants further research. The Agility grant provides us a unique opportunity to increase the dialogue on campus about gambling, identify risk factors, promote self-screenings, and increase awareness about related risks within which substance use may be present.

- In 2020, a key recommendation was for the Athletic Department and the ATOD Prevention Center to foster an improved relationship. Both the Generation Rx and Agility grants have afforded us the opportunity to make this a priority. Student-athletes are identified for both grants as a potentially high-risk population.
  - The NCAA has identified athletes gambling as a major threat to the integrity of collegiate athletics. The NCAA reports ([https://ncaaorg.s3.amazonaws.com/ncaa/wagering/WAGER\\_DontBetOnItWhatS ANeedToKnow.pdf](https://ncaaorg.s3.amazonaws.com/ncaa/wagering/WAGER_DontBetOnItWhatS ANeedToKnow.pdf)) that 24% of male student-athletes reported wagering on sports within the last year.
    - In collaboration with Van Wagner (Towson University Athletics' marketing partner), through the Agility Grant, specific marketing and awareness initiatives will take place during the Fall 2022 football season and Spring 2023 Men's basketball season. Initiatives include tailgating, tabling with self-screening, gambling prevention and resource information, and giveaways, game program advertisements, and in-game public service announcements.
  - Student-athletes, due to risk of injury and resulting pain, may be at risk for misusing prescription medication. Consequently, educating student-athletes about safe medication practices and safe disposal becomes increasingly important within this population of students.
- Recovery Ally Trainings – To increase awareness and sensitivity towards recovery, Recovery Ally trainings are offered monthly to the campus community. An extension of this objective is that while awareness towards recovery grows within the campus community so might student awareness, interest, and participation in Tigers In Recovery. During the biennial period 35 individuals completed the training.
- Nature Rx – Nature Rx programming is a collaborative effort between the ATOD Prevention Center and Campus Recreation/Outdoor Adventure. This program consists of guided nature walks and meditation through the Glen Arboretum. This is an area of about 10 acres of land located in the center of campus. The purpose of this program is to provide participants with the opportunity to connect with nature, along with an element of meditation. This promotes healthy coping skills and an alternative to substance use as participants experience the positive impact of nature on stress and anxiety.
  - A 1-hour guided walk is offered on a weekly basis to students, faculty, and staff.
  - Once per semester a half-day retreat is offered including outdoor yoga, meditation, and s'mores along with the guided nature walk.
- Office of Student Conduct & Civility Education – Referrals to Counseling Center/ATOD Prevention Center
  - During the Spring 2022 semester, the referral process for students violating the substance use policy was streamlined in order to both improve access to care and to improve equity of sanctioning.
    - All students found in violation of a substance use policy are now referred to the Counseling Center for an assessment with the ATOD clinical team. From point of assessment a recommendation is made for the appropriate

level of intervention: education, brief intervention, individual counseling, group counseling, referral off campus, or nothing else is needed.

- This approach improves equity amongst students as the sanction for an assessment is given to all students, with the recommendations following the assessment and is based on the individual student's story, history, presenting concerns, additional stressors and risk factors.
- This approach improves our ability to identify students who violate a campus policy, who may need additional services beyond a sanction.
- A long-standing and overall successful program, Party 101 is the primary early intervention program for students sanctioned from the Office of Student Conduct & Civility Education. Referrals to Party 101 typically follow a low-level, first-time violation of alcohol and drug (marijuana) policies. This referral now follows the initial assessment (as described above) if appropriate. Historically, the Party 101 format was heavy in education and teaching, and less-so in opportunities for self-reflection. Student evaluation forms showed a deficit in more introspective awareness indicating change. Since the Fall 2019 semester, Party 101 has successfully navigated the challenges of COVID during the time of this review period and adapts well to a virtual format when necessary. Borrowing from the tenets of BASICS, Party 101 is a one 90-minute didactic session followed by 1-2 weeks of behavior tracking, and a follow-up 1-hour discussion session focused on reflection and motivation building for change. All sessions are group-based.
  - 84% of students surveyed for Party101 agree or strongly agree that the program taught them something new
  - 87.5% of students surveyed for Party101 agree or strongly agree that they plan to use the skills learned in the program
  - 68% of students surveyed for Party101 agree or strongly agree that they learned something new about themselves as a result of the program
  - 86% of students surveyed for Party101 agree or strongly agree that the program helped them learn more effective party smart strategies
  - 95% of students surveyed for Party101 agree or strongly agree that they have a better understanding of campus laws and policies
- Screening, Brief Intervention, and Referral to Treatment (SBIRT): Implementing substance use screenings within the Health Center was identified, and encouraged, by the Maryland Collaborative for Underage Drinking as a rich avenue for reaching many students, and in turn, increase the potential of identifying students at risk for a substance use concern. This screening process resumed during Spring 2021, when students and staff returned to campus and continues to be in place for University Health Center screenings and referral to counseling when a substance use concern is indicated.
- Since March 2020 and COVID, Zack Hitchens, staff clinician specializing in substance use and coordinator of TU's recovery community, revamped the original Maryland Collegiate Recovery Conference and transitioned to a virtual monthly webinar series.

During the 2020-21 academic year we hosted 7 webinars, attended by 70 individuals, representing twenty-three institutions, from eight states. Our presenters represented a diverse group of individuals, each well-known and respected in their fields. Evaluations indicate a 90% rate of attendees reporting being ‘very satisfied.’ For the second consecutive year, in 2021-2022, our attendees were from eight states. Additionally, members from five community treatment programs attended our webinars. Our presenters represented a diverse group of individuals who are each well-known and respected in their fields. Upon review of attendance figures, seventy-nine percent of attendees attended one webinar, and twenty-one percent attended two or more. The webinars increase awareness of collegiate recovery in Maryland as well as provide an opportunity for stakeholders and practitioners from various campuses to connect around shared interests.

- Promotion and marketing of programming events and workshops, publicizing social norms data targeting campus perceptions and behaviors, particularly regarding cannabis, all showed an increase in reach through enhanced social media posts. In addition, promotion and educational information gained larger viewership through broader digital and print formats. During this review period, the ATOD Center continued utilizing marketing strategies through both paper and digital advertisements with the Towerlight, contracting with a media group for large print ads posted in panels at bus and shuttle stops around campus, and increased social media ads and posts.
  - Social media use continued during this review period to extend beyond sharing information such as social norming content into more engaging content hosting quizzes, trivia, movie nights, paint nights, etc. Utilizing social media platforms that promote short videos and sound bites, such as Instagram Reels and TikTok, keep students engaged, interested, and connected to our prevention programming and messaging.
- T-Break and One-Less Support Groups became standard offerings through the ATOD Prevention Center/Counseling Center. T-Break was created for the Spring 2022 semester, with One-Less joining it during the Fall 2022 semester. These groups further support students who are concerned about their substance use and seek support to take a tolerance break from cannabis, and/or wish to learn strategies to drink ‘one less’ drink of alcohol. Both groups stem from the ATOD Prevention Center’s commitment to harm reduction and supporting students in making healthier and safer changes in their substance using behaviors.

## **Program strengths and areas of growth**

Towson University consistently reviews campus behavioral trends, incident reports, data, and programming efforts to remain informed about campus needs. As a result, the AOD program is fluid, evolving based on both data identified strengths and areas of growth. This data stems from formally administered surveys, such as the CORE, NCHA, and MD-CAS, as well as student feedback following programs, workshops, or other events where prevention programming takes place.

Towson University is fortunate to have a multifaceted team of individuals dedicated to AOD work. This is evident by virtue of the University's Substance Education Concerns Committee membership. This committee is comprised of administrators within Student Affairs, directors of integral Student Affairs departments, clinicians, health educators, and a student representative from the Student Government Association. This team demonstrates the recognition of how substance use may affect our entire campus community as well as the commitment to our work in addressing it. Understanding impact and outcome is a goal for this committee, ensuring the fluid nature of our work and the needs of our campus.

### ***Strengths***

Towson University has a long-standing and robust program to educate, prevent, and address substance use concerns through collaborative relationships with campus partners. Below are strengths identified during this current biennial period:

- In compliance with state and federal regulations we implement programs to educate incoming first year and transfer students throughout orientation, this includes students entering the main campus and the Towson University Northeastern (TUNE) campus.
  - More specifically, this includes opioid and prescription drug education. For Fall 2021 and 2022 enrollment, this program occurred through two formats. Safe Colleges delivers online prescription drug education and is required of both undergraduate and graduate students. Safe Colleges conveys information, assesses knowledge and understanding regarding America's opioid crisis, and provides information regarding preventing or coping with an opioid addiction along with important resources. In addition to Safe Colleges, prescription drug information and resources are also delivered in-person to all new and incoming students during Welcome To Towson.
  - Safe Colleges is also utilized for required alcohol education and sexual violence education for all incoming new students, also providing important information and resources, and assessing knowledge and understanding aimed at promoting safe and responsible decision making and reducing related risks to keep our campus community safe.
  - The E-Check-Up to Go program for both alcohol and marijuana remains available for all students to use if they experience concerns about their substance use. Despite it being replaced as the required alcohol program for new students, E-Check-Up to Go is a valuable screening tool as it is a personalized, evidence-based, prevention intervention program developed by psychologists at San Diego State University. The TU community is invested in ensuring all students are equipped with

information that will empower them to make well-informed decisions about alcohol, and to ensure they are aware of rights and responsibilities as a member of the campus community. In addition, the personalized feedback received through this program is intended to provide a basis of motivation by helping students better understand their own use and risk factors, along with receiving campus specific data to address any misperceptions students may have about their peers' use and campus trends. This screening and intervention tool is easily accessible through the ATOD website.

- Towson University provides substance use direct clinical services--including assessments and counseling--and consultation provided by licensed ATOD counselors within the Counseling Center. These services remain comprehensive and continually adapted to meet the changing needs and trends of the campus community.
  - The integration of the clinical side of the ATOD Center with the University Counseling Center allows students to receive holistic treatment for their presenting concerns. The embedded nature of our center creates a seamless pathway for students who present with a general mental health concern to also connect with a licensed alcohol and drug counselor.
  - During the 2021-22 academic year our referral system from Student Conduct was changed to a step-care model to help increase equity among students going through the conduct process. All students referred from Student Conduct now receive an assessment by a licensed therapist. From this point of assessment, recommendations for additional counseling or education are made based on each student's unique needs. Students can be referred to Party 101, BASICS, T-Break and/or One-Less, ongoing individual counseling, an off-campus referral, or in some cases no additional intervention is needed.
  - A strong example of our holistic approach to addressing substance use is the smoking cessation program offered to both students and employees. This program is offered through the Health Center providing nicotine replacement therapy and medication, along with individual coaching to support those who wish to quit.
- Initially supported by a grant from Transforming Youth Recovery, Tigers in Recovery (TIR), TU's Collegiate Recovery Program, continues to develop its stronghold on campus through active recruitment and sustaining students through graduation. During this past biennial period the program shifted to better accommodate student needs and now offers a weekly drop-in space for students looking to connect with peers, have a place to study, or engage in conversation about their lives in recovery and related concerns or interests. Due to space limitations, we are only able to offer this for two hours per week.
  - During the 2020-21 academic year time was spent creating a Recovery Ally Training to help make Towson University a more supportive and welcoming community for people in recovery. We began offering monthly trainings starting in February 2022. Additionally, campus departments and organizations have requested Recovery Ally training which has helped to increase support for people in recovery while also promoting the Tigers in Recovery community.
  - Tigers in Recovery has also aligned itself with the Fair Chance Program. This program helps justice impacted individuals obtain their college degrees. Due to the overlap between substance use and the criminal justice system this partnership

allows for increased support for students as well as an additional way to recruit new members for Tigers in Recovery.

- ATOD peer educators continue to provide and support alcohol and drug prevention and outreach to the campus community. Peer educators are well-trained both in content area, and in how to talk to students and engage them in programming initiatives. This peer education program evolves to meet changing campus needs and the growing demand for prevention-based programming.
  - Due in part to the long-standing presence of the ATOD center and ATOD peer educators, a strength of our efforts is our consistent programming. Our most notable signature annual events include Welcome to Towson events, Halloween Party, Safe Spring Break, and the Spring Wellness Carnival. These events, along with other events throughout the year, consistently engage hundreds of students in education and prevention-based programming. An important hallmark of each of these events is the strong collaboration that exists with several campus partners.
  - Our prevention programming is largely informed by data collected via nationally recognized surveys: CORE Survey and NCHA. Additionally, a survey through the Maryland Collaborative to Reduce Underage Drinking, the College Alcohol Survey (MD-CAS), is conducted every other year providing additionally useful data regarding Towson University students while comparing our campus to other Maryland schools who also participated in the survey. Program evaluations, qualitative data, also provides immediate information regarding student feedback and effectiveness, along with pre-post data when appropriate to further assess learning and indicate needs for future programs. Our consistent use of surveys and evaluations allows us to assess campus trends pertaining to behavior and perceptions, and the longitudinal impact of our prevention, messaging, and educational efforts on student behavior.
  - Peer education workshops are also an important part of the TU Counseling Center stepped care model of treatment. Workshops are available as a point of referral for students seeking primarily mental health services, and for whom education about alcohol and drugs would be beneficial as part of their care.
- Early intervention work is an integral part of the ATOD center's comprehensive approach to addressing student substance use. Over the years, "Party 101" is a program offered to 'low-level offenders' facing sanctions through the University conduct process. Anecdotally, Party 101 has shown to reduce future substance related conduct incidences. The ATOD Prevention Center continues to implement Party 101 with changes made during the Spring 2020 semester. As indicated above, the changes to Party 101 from largely didactic to now encouraging self-reflection as a key element of learning connected to behavior change shows positive outcomes; furthermore, this is a good example of using strong evaluation tools to assess programs. Recognizing the increased need for self-reflection versus lecture, the curriculum now includes the following: a didactic session to increase awareness and understanding of substance use and related risks, an opportunity for students to track and reflect on their behaviors, and a self-reflective session to fully integrate the experience and identify motivations and barriers to personal change.
- The ATOD team and peer educators continue to collaborate with the Campus Programming Committee, through which Weekends@TU is organized. Weekends@TU plans and implements late night, substance free programming on weekends for the campus

community. A primary goal of Weekends@TU is to provide alternatives to parties and bars for students wanting social connection, as incentive to staying on campus as opposed to “going home” on weekends.

- This biennial period shows a continued increase in collaborative work with the Center for Student Diversity. We continue collaborating with CSD as well as Student Health Services and Student Activities for the annual event “Sex in the Dark.” This event provides education and resources on inclusive sex, including the intersection of substance use and sexual health. Additionally, collaborating with CSD to host Queer Wellness Week allows us to focus on increasing awareness and understanding of the risks connected to substance use amongst our LGBTQIA+ community and providing information and resources to promote safety and access to treatment, while working towards reducing stigma.
- TU’s licensed counselors continue to support the Athletic Department in providing substance use assessments, ongoing therapy, or referral for athletes referred to the TUCC following a positive drug test result or as part of the Athletic Department’s Safe Harbor program.
- Relationships between ATOD and the Office of Student Conduct & Civility Education staff remain strong, ensuring a clear and seamless process for students going through the conduct process and are referred for substance use services.
  - OSCCE continues to promote and utilize the Responsible Tiger Protocol, which provides amnesty for any student who helps to assist a peer who is experiencing an alcohol emergency. The University expects students to act responsibly and cooperate when a friend or fellow student is overly intoxicated, whose health or safety is at risk.
- Training for Intervention Procedures (TIPS) provided to student leaders and members of both Club Sports and Fraternity and Sorority Life is an important collaboration beyond the scope of ATOD peer education. ATOD grant support provides the financial means to train students each year. TIPS is a skills-based training program designed to prevent intoxication, underage drinking, and drunk driving.
- TU exists at the heart of Towson, and is a member of neighborhood, county, and state coalitions to address substance use. We recognize the importance of this work and the impact on the TU campus and within the greater surrounding communities.
  - Campus partners, along with our ATOD team, are actively involved with the Baltimore Health Department Coalition focused on underage drinking.
  - Receiving the Alcohol, Tobacco, and Other Drugs Prevention grant not only largely supports our outreach and prevention efforts but keeps us connected with the Maryland Department of Health and partner schools across the state engaging in the same work.
  - Of significant importance is our status as a partner school with the Maryland Collaborative to Reduce College Drinking and Related Problems. Our collaborative work with a local Social Host policy has improved town-gown relationships, implementing the annual Maryland College Alcohol Survey provides us additional data regarding student behavior.

### *Opportunities for Growth*

While there are many strengths to our program, there are some areas of growth that are not as well developed. These areas include:

- Currently the University sends out the Drug and Alcohol Abuse Prevention Plan notification once per year, so students and employees who join the campus community after it has been sent do not receive it until the following fall semester.
  - Most campus programs and resources are dedicated to students. Increasing awareness to faculty and staff beyond this annual notification of all relevant services and resources available to them remains an important area of growth.
  - HR trainings/education available to faculty/staff
- Continuing from last review period – the need to raise awareness and provide prevention programs and education to students experiencing natural transition points during their college careers, such as before and after returning from studying abroad, and students who are entering the workforce through jobs or internships.
  - Develop more cohesive relationship with colleagues in the Career Center in order to provide supportive resources, workshops, programs to students regarding healthy coping skills during stressful transitions, the impact of substance use on job seeking, and how to navigate situations such as after work happy hours, etc.
- Continue to build Tigers in Recovery. More specifically, continue our work with development, HRL, campus partners, and administrators to identify and secure housing and/or dedicated space for recovering students. Such space is recognized by successful programs across the country as a key element to attracting students and building community.
- Continue to analyze evaluation practices. To provide the best data for our programming efforts and campus needs, this remains an ongoing area of growth. Our goal is to utilize the most effective evaluation tools to maximize the data and response rates in order to best inform future programming. We will solicit continued support from the Maryland Collaborative to continue learning more regarding the most recent research in this area, and to explore options and best practices during this next biennial period.
  - Incorporate more specific evaluations to gather outcomes-based data, which we have recently begun to collect.

### **Annual distribution protocol**

Currently Towson University distributes the Drug and Alcohol Abuse Prevention Plan notification once per year towards the end of September or early October. This information is sent out via a campus-wide email notification which includes the link to the report as well as other compliance reports required of the University. The most recent notification can be found at the following website: <https://www.towson.edu/about/consumer/substance.html>. This site also includes all University policies related to substance use for both students and employees.

## **Conclusion and recommendations**

Towson University is committed to supporting students in both their academic mission and in their overall health and wellness. Specifically, compiling this report affirms that Towson University is committed to the education, prevention, and treatment of substance use issues with our students. However, despite our commitment, this review of our efforts shows some gaps that need to be addressed.

In such, we are committed to the following:

- Although our programming efforts are strong, and our evaluation efforts are improving, evaluation and data collection efforts warrant continued attention and improvement.
  - We will continue consulting with the Maryland Collaborative regarding effective evaluation strategies to better inform programming decisions.
  - We will improve data collection strategies with our campus partners and ‘in-house’ with annual surveys.
  - We will engage campus partners more intentionally around this data collection to mobilize a task force more efficiently for the 2024 Biennial Report.
- To best support our students in recovery, we will continue to prioritize growing Tigers in Recovery.
  - We know a key component of successful recovery programs is dedicated space. We will continue to engage campus partners and leadership in exploring options on campus.
- An important area of campus life is with the Athletic Department. With a new Athletic Director, hired March 2022, it remains important to collaborate on issues that affect our student athletes, and those within the campus community who support them. Issues around alcohol and marijuana use, gambling, and the intersection of these behaviors with mental health remain a priority. For students to receive consistent messages between campus departments, we will continue to build improved relationships with the Athletic Department.
  - We will continue to improve communication and planning around tailgating, provide sober tailgating alternatives, review alcohol promotions and sales at stadiums, and other related promotions, policies, and activities that involve substance use and students, while supporting Towson athletics.
- To ensure all students, staff, and faculty are notified in a timely and efficient manner of substance use policies and resources, we will initiate more consistent and collaborative dialogue with TU Human Resources. We will continue our commitment for the 2024 report, for an improved documentation and notification process of the Drug and Alcohol Abuse Prevention Plan.

**Appendices**

**APPENDIX A:**

**Federal State and Local Laws Related to Alcohol and Drug Use**

Students and employees at Towson University are subject to federal, state and local laws for the possession and distribution of illegal drugs. Federal law states that it is unlawful to possess controlled substances including marijuana, cocaine, LSD, PCP, heroin, designer drugs, etc.

Federal Law:

Federal Trafficking Penalties

<b>Drug/Schedule</b>	<b>Quantity</b>	<b>Penalties</b>	<b>Quantity</b>	<b>Penalties</b>
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or <b>More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture	100 gm or more pure or 1 kg or more mixture		

				not an individual.
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<b>Penalties</b>		
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. <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.
Flunitrazepam (Schedule IV)	1 gram	
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more that 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.
All other Schedule IV drugs	Any amount	<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.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	
All Schedule V drugs	Any amount	<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.

Federal Trafficking Penalties- Marijuana

<b>Drug</b>	<b>Quantity</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense*</b>
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or	Not less than 10 yrs. or more than life. If	Not less than 20 yrs. or more than life. If

	1,000 or more marijuana plants	death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less 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 other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants; 1 to 49 marijuana plants;	Not less than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual	Not less than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I) 10 kg or less			
Hashish Oil (Schedule I) 1 kg or less			

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

<https://www.getsmartaboutdrugs.gov/sites/getsmartaboutdrugs.com/files/publications/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20.pdf>

## MARYLAND STATE LAW & LOCAL LAWS PER TOWSON UNIVERSITY CAMPUS LOCATIONS:

1-401. Buying, selling, or possessing alcoholic beverages

- (a) Prohibited unless authorized. -- Unless otherwise provided for in this article or the Tax - General Article, a person may not:
- (1) sell alcoholic beverages;
  - (2) allow alcoholic beverages to be sold;
  - (3) accept or deliver alcoholic beverages; or
  - (4) for the purpose of sale, transport, buy, possess, or keep alcoholic beverages or allow alcoholic beverages to be transported, bought, possessed, or kept:
    - (i) in a vehicle, a water vessel, or an aircraft;
    - (ii) on any premises; or
    - (iii) under the person's charge or control.
- (b) Activities restricted to consumers, license holders, and certain individuals under 21 years of age. --
- (1) Except as provided in paragraph (2) of this subsection, a person may not buy, possess, store, import, transport, or keep alcoholic beverages or allow alcoholic beverages to be bought, possessed, stored, imported, transported, or kept:
    - (i) in a vehicle, a water vessel, or an aircraft;
    - (ii) on any premises; or
    - (iii) under the person's charge or control.
  - (2) A person may perform an activity listed in paragraph (1) of this subsection if the person is:
    - (i) a consumer;
    - (ii) subject to the requirements under this article, a license holder; or
    - (iii) an individual under the age of 21 years who possesses or is transporting alcoholic beverages for a lawful purpose:
      1. with the knowledge and consent of the individual's parent or guardian;  
or
      2. incident to the lawful employment of the individual under this article.
- (c) Prohibitions against individual under 21 years of age. -- An individual under the age of 21 years may not:
- (1) buy, consume, possess, store, import, transport, or keep alcoholic beverages for the individual's own use; or
  - (2) buy, possess, store, import, transport, or keep alcoholic beverages for any purpose in a jurisdiction where prohibited under State law.

1-403. Unlawful manufacturing of alcoholic beverages

(a) Prohibited. --

(1) Unless otherwise provided for in this article, a person may not manufacture, blend, rectify, bottle, or allow to be manufactured, blended, rectified, or bottled any alcoholic beverages except on premises licensed under this article.

(2) A person may not buy, bargain, sell, borrow, loan, manufacture, possess, transport, or allow to be bought, bargained, sold, loaned, manufactured, possessed, or transported any personal property designed, used, or intended for use directly or immediately in connection with the unlawful manufacture of alcoholic beverages.

(b) Penalty. -- In addition to any other fine or penalty under this article, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$ 10,000 or both.

6-320. Disorderly intoxication

(a) Prohibited. -- An individual may not:

(1) be intoxicated and endanger the safety of another individual or property; or

(2) be intoxicated or consume an alcoholic beverage in a public place and cause a public disturbance.

(b) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$ 100 or both.

6-321. Consumption of alcoholic beverages in public

(a) "Public property" defined. -- In this section, "public property" includes property that is:

(1) a structure, road, parking area, or grounds; and

(2) located on land owned, leased, or operated by:

(i) the State;

(ii) a county;

(iii) a municipality;

(iv) the Washington Suburban Sanitary Commission;

(v) the Maryland-National Capital Park and Planning Commission;

(vi) the Montgomery County Revenue Authority; or

(vii) the Washington Metropolitan Area Transit Authority.

(b) Prohibited. --

(1) Except as provided in paragraphs (2) and (3) of this subsection, an individual may not consume an alcoholic beverage:

(i) on public property;

(ii) on the mall, adjacent parking area, or other outside area of a shopping center;

(iii) on an adjacent parking area or other outside area of any other retail establishment; and

(iv) in a parked vehicle located in an area described under item (i), (ii), or (iii) of this paragraph.

(2) An individual may consume an alcoholic beverage on:

(i) public property if authorized by the governmental entity that has authority over the property; or

(ii) private property described under paragraph (1)(ii) through (iv) of this subsection if authorized by the owner of the property.

(3) If the owner or operator of a motor home or chartered bus has consented to the consumption of the alcoholic beverages, paragraph (1) of this subsection does not apply to passengers:

- (i) in the living quarters of a motor home equipped with a toilet and central heating; or
- (ii) of a chartered bus in transit.

(c) Penalty. --

(1) A violation of this section is a Code violation and a civil offense.

(2) A person who violates this section:

- (i) shall be issued a citation under § 10-119 of the Criminal Law Article; and
- (ii) is subject to a fine not exceeding \$ 100.

#### 6-322. Possession of open container

(a) Prohibited. --

(1) Except as provided in paragraph (2) of this subsection, an individual may not possess an alcoholic beverage in an open container while:

- (i) on the mall, adjacent parking area, or other outside area of a shopping center;
- (ii) on an adjacent parking area or other outside area of any other retail establishment; or
- (iii) in a parked vehicle located in an area described under item (i) or (ii) of this paragraph.

(2) An individual may possess an alcoholic beverage in an open container on private property described under paragraph (1) of this subsection if the individual is authorized by the owner of the establishment.

(b) Penalty. --

(1) A violation of this section is a Code violation and a civil offense.

(2) A person who violates this section:

- (i) shall be issued a citation under § 10-119 of the Criminal Law Article; and
- (ii) is subject to a fine not exceeding \$ 100.

#### 6-323. Possession or use of Alcohol Without Liquid machine

(a) "AWOL machine" defined. -- In this section, "AWOL machine" means an Alcohol Without Liquid device, a Vaportini, or any similar device that mixes an alcoholic product with pure oxygen or other gas to produce a vaporized product that can be inhaled.

(b) Prohibited. -- A person may not:

- (1) use an AWOL machine to inhale alcohol vapor or otherwise introduce alcohol in any form into the human body; or
- (2) with the intent to introduce alcohol into the human body, possess, purchase, transfer, or offer for sale or use an AWOL machine.

(c) Penalty. --

(1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$ 1,000.

(2) Each violation of this section is a separate offense.

#### 6-326 Sale of alcoholic beverages in powder or crystalline form prohibited

- (a) Prohibited. -- A person may not sell or offer for sale alcoholic beverages that are sold in powder or crystalline form for direct use or use in combination with water or any other substance.
- (b) Penalty. --
  - (1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$ 1,000.
  - (2) Each violation of this section is a separate offense.

#### 6-327. Unlicensed out-of-state sale of alcoholic beverages

- (a) Prohibited. --
  - (1) A person in the business of selling or distributing alcoholic beverages in or from another state may not ship, cause to be shipped, or deliver alcoholic beverages directly to a recipient in the State if the seller, distributor, shipper, transporter, or recipient does not hold the required license or permit.
  - (2) The prohibition under paragraph (1) of this subsection applies to alcoholic beverages ordered or purchased through a computer network.
- (b) Penalty. -- A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding \$ 1,000 or both.

#### 10-113. Misrepresentation of age

An individual may not knowingly and willfully make a misrepresentation or false statement as to the age of that individual or another to any person licensed to sell alcoholic beverages or engaged in the sale of alcoholic beverages, for the purpose of unlawfully obtaining, procuring, or having unlawfully furnished an alcoholic beverage to an individual.

#### 10-114. Underage possession

- (a) Prohibition. -- Except as provided in subsection (b)(1) of this section, and subject to subsection (b)(2) of this section, an individual under the age of 21 years may not:
  - (1) possess or have under the individual's charge or control an alcoholic beverage unless the individual is a bona fide employee of the license holder as defined in § 1-101 of the Alcoholic Beverages Article and the alcoholic beverage is in the possession or under the charge or control of the individual in the course of the individual's employment and during regular working hours; or
  - (2) consume an alcoholic beverage.
- (b) Exception. --
  - (1) The prohibitions set forth in subsection (a)(1) and (2) of this section do not apply if:
    - (i)
      - 1. an adult furnishes the alcoholic beverage to the individual or allows the individual to possess or consume the alcoholic beverage;
      - 2. the individual possessing or consuming the alcoholic beverage and the adult who furnished the alcoholic beverage to the individual or allowed the individual to possess or consume the alcoholic beverage are members of the same immediate family; and
      - 3. the alcoholic beverage is furnished and consumed in a private residence of the adult or within the curtilage of the residence; or

- (ii) the individual consumes the alcoholic beverage as a participant in a religious ceremony.
- (2) An individual may not be stopped on suspicion of a violation of subsection (a)(2) of this section or charged with a violation of subsection (a)(2) of this section unless the individual is observed in possession of an alcoholic beverage.

#### 10-115. False documentation

An individual under the age of 21 years may not possess a card or document that falsely identifies the age of the individual under circumstances that reasonably indicate an intention to violate the provisions of this part.

#### 10-116. Obtaining for underage consumption

An individual may not obtain, or attempt to obtain by purchase or otherwise, an alcoholic beverage from any person licensed to sell alcoholic beverages for consumption by another who the individual obtaining or attempting to obtain the beverage knows is under the age of 21 years.

#### 10-117. Furnishing for or allowing underage consumption

- (a) Furnishing alcohol. -- Except as provided in subsection (c) of this section, a person may not furnish an alcoholic beverage to an individual if:
  - (1) the person furnishing the alcoholic beverage knows that the individual is under the age of 21 years; and
  - (2) the alcoholic beverage is furnished for the purpose of consumption by the individual under the age of 21 years.
- (b) Allowing possession or consumption of alcohol. -- Except as provided in subsection (c) of this section, an adult may not knowingly and willfully allow an individual under the age of 21 years actually to possess or consume an alcoholic beverage at a residence, or within the curtilage of a residence that the adult owns or leases and in which the adult resides.
- (c) Exceptions. --
  - (1) The prohibition set forth in subsection (a) of this section does not apply if the person furnishing the alcoholic beverage and the individual to whom the alcoholic beverage is furnished:
    - (i) are members of the same immediate family, and the alcoholic beverage is furnished and consumed in a private residence or within the curtilage of the residence; or
    - (ii) are participants in a religious ceremony.
  - (2) The prohibition set forth in subsection (b) of this section does not apply if the adult allowing the possession or consumption of the alcoholic beverage and the individual under the age of 21 years who possesses or consumes the alcoholic beverage:
    - (i) are members of the same immediate family, and the alcoholic beverage is possessed and consumed in a private residence, or within the curtilage of the residence, of the adult; or
    - (ii) are participants in a religious ceremony.
- (d) Operation of motor vehicle. -- A person may not violate subsection (a) or (b) of this section if the violation involves an individual under the age of 21 years who:
  - (1) the person knew or reasonably should have known would operate a motor vehicle after consuming the alcoholic beverage; and

- (2) as a result of operating a motor vehicle while under the influence of alcohol or while impaired by alcohol, causes serious physical injury or death to the individual or another.

#### 10-118. Unregistered keg

- (a) Possession; altering registration form. -- Except for a person licensed as an alcoholic beverages licensee under the Alcoholic Beverages Article who possesses a keg in the course of that person's business, a person may not knowingly:
  - (1) possess a keg that has not been registered under or does not have a registration form affixed to it as required by § 5-303 of the Alcoholic Beverages Article; or
  - (2) remove, alter, or obliterate, or allow to be removed, altered, or obliterated, a registration form that is affixed to a keg.
- (b) Allowing underage consumption. -- A person may not allow an individual under the age of 21 years to consume any of the contents of a keg purchased by that person.

#### 10-119. Citation

- (a) In general. --
  - (1) A person shall be issued a citation under this section if the person violates:
    - (i) §§ 10-113 through 10-115 or § 10-118 of this part; or
    - (ii) § 6-321 or § 6-322 of the Alcoholic Beverages Article.
  - (2) A minor who violates § 10-116 or § 10-117(a) of this part shall be issued a citation under this section.
- (b) Who may issue. --
  - (1) A citation for a violation of §§ 10-113 through 10-115 or a violation of § 10-118 of this part or § 6-321 or § 6-322 of the Alcoholic Beverages Article may be issued by:
    - (i) a police officer authorized to make arrests;
    - (ii) in State forestry reservations, State parks, historic monuments, and recreation areas, a forest or park warden under § 5-206(a) or (b) of the Natural Resources Article; and
    - (iii) subject to paragraphs (2) and (3) of this subsection, in Anne Arundel County, Frederick County, Harford County, Kent County, Montgomery County, Prince George's County, and Talbot County, and only in the inspector's jurisdiction, an alcoholic beverages inspector who investigates license violations under the Alcoholic Beverages Article.
  - (2) In Anne Arundel County, Frederick County, Harford County, Kent County, Montgomery County, Prince George's County, and Talbot County, the inspector shall successfully complete an appropriate program of training in the proper use of arrest authority and pertinent police procedures as required by the board of license commissioners.
  - (3) In Anne Arundel County, Harford County, Kent County, Montgomery County, Prince George's County, and Talbot County, the inspector may not carry a firearm in the performance of the inspector's duties.
- (c) Issuance on probable cause. -- A person authorized under this section to issue a citation shall issue it if the person has probable cause to believe that the person charged is committing or has committed a Code violation.
- (d) Form and contents. --

- (1) Subject to paragraph (2) of this subsection, the form of citation issued to an adult shall be as prescribed by the District Court and shall be uniform throughout the State.
  - (2) The citation issued to an adult shall contain:
    - (i) the name and address of the person charged;
    - (ii) the statute allegedly violated;
    - (iii) the location, date, and time that the violation occurred;
    - (iv) the fine that may be imposed;
    - (v) a notice stating that prepayment of the fine is not allowed;
    - (vi) a notice that the District Court shall promptly send the person charged a summons to appear for trial;
    - (vii) the signature of the person issuing the citation; and
    - (viii) a space for the person charged to sign the citation.
  - (3) The form of citation issued to a minor shall:
    - (i) be prescribed by the State Court Administrator;
    - (ii) be uniform throughout the State; and
    - (iii) contain the information listed in § 3-8A-33(b) of the Courts Article.
- (e) Request for trial; scheduling. --
- (1) Except for a citation subject to the jurisdiction of a circuit court, the issuing jurisdiction shall forward a copy of the citation and a request for trial to the District Court in the district having venue.
  - (2)
    - (i) The District Court shall promptly schedule the case for trial and summon the defendant to appear.
    - (ii) Willful failure of the defendant to respond to the summons is contempt of court.
- (f) Code violation; disposition. --
- (1) For purposes of this section, a violation of §§ 10-113 through 10-115 or a violation of § 10-118 of this part or § 6-321 or § 6-322 of the Alcoholic Beverages Article is a Code violation and is a civil offense.
  - (2) A person charged who is under the age of 18 years shall be subject to the procedures and dispositions provided in Title 3, Subtitle 8A of the Courts Article.
  - (3) A person charged who is at least 18 years old shall be subject to the provisions of this section.
  - (4) Adjudication of a Code violation is not a criminal conviction for any purpose, and it does not impose any of the civil disabilities ordinarily imposed by a criminal conviction.
- (g) Burden of proof; procedure. -- In any proceeding for a Code violation:
- (1) the State has the burden to prove the guilt of the defendant to the same extent as is required by law in the trial of criminal causes, and in any such proceeding, the court shall apply the evidentiary standards as prescribed by law or rule for the trial of criminal causes;
  - (2) the court shall ensure that the defendant has received a copy of the charges against the defendant and that the defendant understands those charges;
  - (3) the defendant is entitled to cross-examine all witnesses who appear against the defendant, to produce evidence or witnesses on behalf of the defendant, or to testify on the defendant's own behalf, if the defendant chooses to do so;

- (4) the defendant is entitled to be represented by counsel of the defendant's choice and at the expense of the defendant;
  - (5) the defendant may enter a plea of guilty or not guilty, and the verdict of the court in the case shall be:
    - (i) guilty of a Code violation; or
    - (ii) not guilty of a Code violation; and
  - (6) before rendering judgment, the court may place the defendant on probation in the same manner and to the same extent as is allowed by law in the trial of a criminal case.
- (h) Amount of fine. --
- (1) This subsection does not apply to a person who commits a Code violation under § 6-321 or § 6-322 of the Alcoholic Beverages Article.
  - (2) Except as provided in paragraph (3) of this subsection, if the District Court finds that a person has committed a Code violation, the court shall require the person to pay:
    - (i) a fine not exceeding \$ 500; or
    - (ii) if the violation is a subsequent violation, a fine not exceeding \$ 1,000.
  - (3) If the District Court finds that a person has committed a Code violation under § 10-117 of this subtitle, the court shall require the person to pay:
    - (i) a fine not exceeding \$ 2,500; or
    - (ii) if the violation is a subsequent violation, a fine not exceeding \$ 5,000.
  - (4) The Chief Judge of the District Court may not establish a schedule for the prepayment of fines for a Code violation under this part.
- (i) Suspension of fine; failure to pay. -- When a defendant has been found guilty of a Code violation and a fine has been imposed by the court:
- (1) the court may direct that the payment of the fine be suspended or deferred under conditions that the court may establish; and
  - (2) if the defendant willfully fails to pay the fine imposed by the court, that willful failure may be treated as a criminal contempt of court, for which the defendant may be punished by the court as provided by law.
- (j) Costs; Criminal Injuries Compensation Fund. --
- (1) The defendant is liable for the costs of the proceedings in the District Court and for payment to the Criminal Injuries Compensation Fund.
  - (2) The court costs in a Code violation case in which costs are imposed are \$ 5.
- (k) Notice to Motor Vehicle Administration. --
- (1) In this subsection, "driver's license" means a license or permit to drive a motor vehicle that is issued under the laws of this State or any other jurisdiction.
  - (2) This subsection applies only to:
    - (i) a person who is at least 18 but under 21 years of age; or
    - (ii) a minor if the minor is subject to the jurisdiction of the court.
  - (3) If a person is found guilty of a Code violation under § 10-113 of this part that involved the use of a driver's license or a document purporting to be a driver's license, the court shall notify the Motor Vehicle Administration of the violation.
  - (4) The Chief Judge of the District Court, in conjunction with the Motor Vehicle Administrator, shall establish uniform procedures for reporting Code violations described in this subsection.
- (l) Appeal. --

- (1) A defendant who has been found guilty of a Code violation has the right to appeal or to file a motion for a new trial or a motion for a revision of a judgment provided by law in the trial of a criminal case.
- (2) A motion shall be made in the same manner as provided in the trial of criminal cases, and the court, in ruling on the motion has the same authority provided in the trial of criminal cases.
- (m) Authority of State's Attorney. --
  - (1) The State's Attorney for any county may prosecute a Code violation in the same manner as prosecution of a violation of the criminal laws of this State.
  - (2) In a Code violation case the State's Attorney may:
    - (i) enter a nolle prosequi in or place the case on the stet docket; and
    - (ii) exercise authority in the same manner as prescribed by law for violation of the criminal laws of this State.

10-120. Failure to provide proof of age; jurisdiction

- (a) Prohibited. -- A person being issued a citation under §§ 10-113 through 10-119 of this part or § 26-103 of the Education Article may not fail or refuse to furnish proof of identification and age on request of the person issuing the citation.
- (b) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$ 50.
- (c) Jurisdiction. --
  - (1) The juvenile court has jurisdiction over a minor who is within the age of juvenile court jurisdiction.
  - (2) If there is a waiver of juvenile jurisdiction with respect to a minor who is otherwise subject to juvenile court jurisdiction, the District Court has jurisdiction over the matter, notwithstanding any contrary provision of § 4-301 of the Courts Article.

Penalties for violation of 10-116 or 10-117

- (a) Applicability. -- This section does not apply to a person who:
  - (1) was acting in the capacity of a licensee, or an employee of a licensee, under the Alcoholic Beverages Article; and
  - (2) has committed a violation of and is subject to the penalties under § 6-304, § 6-307, § 6-308, or § 6-309 of the Alcoholic Beverages Article.
- (b) Penalties. -- Except as provided in subsection (c) of this section, an adult who violates § 10-116 or § 10-117 of this subtitle is guilty of a misdemeanor and on conviction is subject to:
  - (1) a fine not exceeding \$ 2,500 for a first offense; or
  - (2) a fine not exceeding \$ 5,000 for a second or subsequent offense.
- (c) Violation of § 10-117(d). -- An adult who violates § 10-117(d) of this subtitle is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$ 5,000 or both.

10-125. Violations

- (a) Open container in passenger area. --
  - (1) Except as otherwise provided in subsection (c) of this section, an occupant of a motor vehicle may not possess an open container that contains any amount of an alcoholic beverage in a passenger area of a motor vehicle on a highway.

- (2) A driver of a motor vehicle may not be subject to prosecution for a violation of this subsection based solely on possession of an open container that contains any amount of an alcoholic beverage by another occupant of the motor vehicle.
- (b) Consumption in passenger area. --
  - (1) This subsection does not apply to the driver of a motor vehicle.
  - (2) Except as otherwise provided in subsection (c) of this section, an occupant of a motor vehicle may not consume an alcoholic beverage in a passenger area of a motor vehicle on a highway.
- (c) Exceptions. -- Subsections (a)(1) and (b)(2) of this section do not apply to an occupant, who is not the driver, in:
  - (1) a motor vehicle designed, maintained, and used primarily for the transportation of a person for compensation, including:
    - (i) a bus;
    - (ii) a taxicab; or
    - (iii) a limousine; or
  - (2) the living quarters of a motor home, motor coach, or recreational vehicle.
- (d) Statewide application. -- Notwithstanding § 6-320, § 6-321, or § 6-322 of the Alcoholic Beverages Article, or any other provision of law, the prohibitions contained in this section apply throughout the State.
- (e) Classification of violation. -- A violation of this section is not:
  - (1) a moving violation for the purposes of § 16-402 of the Transportation Article; or
  - (2) a traffic violation for the purposes of the Maryland Vehicle Law.

10-126. Citation; civil offense

- (a) Issuance. -- A police officer may issue a citation to a person who the police officer has probable cause to believe has committed a violation under this part.
- (b) Civil offense. --
  - (1) A violation under this part is a civil offense.
  - (2) Adjudication of a violation under this part:
    - (i) is not a criminal conviction for any purpose; and
    - (ii) does not impose any of the civil disabilities that may result from a criminal conviction.
- (c) Contents. -- A citation issued under this part shall be signed by the police officer who issues the citation and shall contain:
  - (1) the name and address of the person charged;
  - (2) the statute allegedly violated;
  - (3) the date, location, and time that the violation occurred;
  - (4) the fine that may be imposed;
  - (5) a notice stating that prepayment of the fine is allowed; and
  - (6) a notice that states that the District Court shall promptly send the person a summons to appear for trial.
- (d) Form. -- The form of the citation shall be uniform throughout the State and shall be prescribed by the District Court.
- (e) Prepayment. -- The Chief Judge of the District Court shall establish a schedule for the prepayment of a fine.
- (f) Request for trial; scheduling. --

- (1) The law enforcement agency of the police officer who issued the citation shall forward to the District Court having venue a copy of the citation and a request for trial.
  - (2) The District Court shall promptly schedule the case for trial and summon the defendant to appear.
- (g) Amount of fine. -- If a person is found to have committed a violation under this part, the person is subject to a fine not exceeding \$ 25.
- (h) Costs. -- The court costs for a violation under this part are \$ 5.

### Laws Related to Other Drugs

#### 5-601. Possessing or administering controlled dangerous substances.

- (a) In general. -- Except as otherwise provided in this title, a person may not:
- (1) possess or administer to another a controlled dangerous substance, unless obtained directly or by prescription or order from an authorized provider acting in the course of professional practice; or
  - (2) obtain or attempt to obtain a controlled dangerous substance, or procure or attempt to procure the administration of a controlled dangerous substance by:
    - (i) fraud, deceit, misrepresentation, or subterfuge;
    - (ii) the counterfeiting or alteration of a prescription or a written order;
    - (iii) the concealment of a material fact;
    - (iv) the use of a false name or address;
    - (v) falsely assuming the title of or representing to be a manufacturer, distributor, or authorized provider; or
    - (vi) making, issuing, or presenting a false or counterfeit prescription or written order.
- (b) Information not privileged. -- Information that is communicated to a physician in an effort to obtain a controlled dangerous substance in violation of this section is not a privileged communication.
- (c) Penalty; mitigating factors; substance abuse programs. --
- (1) Except as provided in paragraphs (2), (3), and (4) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to:
    - (i) for a first conviction, imprisonment not exceeding 1 year or a fine not exceeding \$ 5,000 or both;
    - (ii) for a second or third conviction, imprisonment not exceeding 18 months or a fine not exceeding \$ 5,000 or both; or
    - (iii) for a fourth or subsequent conviction, imprisonment not exceeding 2 years or a fine not exceeding \$ 5,000 or both.
  - (2)
    - (i) Except as provided in subparagraph (ii) of this paragraph, a person whose violation of this section involves the use or possession of marijuana is guilty of a misdemeanor of possession of marijuana and is subject to imprisonment not exceeding 6 months or a fine not exceeding \$ 1,000 or both.
    - (ii)

1. A first finding of guilt under this section involving the use or possession of less than 10 grams of marijuana is a civil offense punishable by a fine not exceeding \$ 100.
2. A second finding of guilt under this section involving the use or possession of less than 10 grams of marijuana is a civil offense punishable by a fine not exceeding \$ 250.
3. A third or subsequent finding of guilt under this section involving the use or possession of less than 10 grams of marijuana is a civil offense punishable by a fine not exceeding \$ 500.
4.
  - A. In addition to a fine, a court shall order a person under the age of 21 years who commits a violation punishable under subparagraph 1, 2, or 3 of this subparagraph to attend a drug education program approved by the Maryland Department of Health, refer the person to an assessment for substance abuse disorder, and refer the person to substance abuse treatment, if necessary.
  - B. In addition to a fine, a court shall order a person at least 21 years old who commits a violation punishable under subparagraph 3 of this subparagraph to attend a drug education program approved by the Maryland Department of Health, refer the person to an assessment for substance abuse disorder, and refer the person to substance abuse treatment, if necessary.
  - C. A court that orders a person to a drug education program or substance abuse assessment or treatment under this subparagraph may hold the case sub curia pending receipt of proof of completion of the program, assessment, or treatment.

(3)

(i)

1. In this paragraph the following words have the meanings indicated.
2. "Bona fide physician-patient relationship" means a relationship in which the physician has ongoing responsibility for the assessment, care, and treatment of a patient's medical condition.
3. "Caregiver" means an individual designated by a patient with a debilitating medical condition to provide physical or medical assistance to the patient, including assisting with the medical use of marijuana, who:
  - A. is a resident of the State;
  - B. is at least 21 years old;
  - C. is an immediate family member, a spouse, or a domestic partner of the patient;
  - D. has not been convicted of a crime of violence as defined in § 14-101 of this article;

- E. has not been convicted of a violation of a State or federal controlled dangerous substances law;
  - F. has not been convicted of a crime of moral turpitude;
  - G. has been designated as caregiver by the patient in writing that has been placed in the patient's medical record prior to arrest;
  - H. is the only individual designated by the patient to serve as caregiver; and
  - I. is not serving as caregiver for any other patient.
4. "Debilitating medical condition" means a chronic or debilitating disease or medical condition or the treatment of a chronic or debilitating disease or medical condition that produces one or more of the following, as documented by a physician with whom the patient has a bona fide physician-patient relationship:
- A. cachexia or wasting syndrome;
  - B. severe or chronic pain;
  - C. severe nausea;
  - D. seizures;
  - E. severe and persistent muscle spasms; or
  - F. any other condition that is severe and resistant to conventional medicine.

(ii)

- 1. In a prosecution for the use or possession of marijuana, the defendant may introduce and the court shall consider as a mitigating factor any evidence of medical necessity.
- 2. Notwithstanding paragraph (2) of this subsection, if the court finds that the person used or possessed marijuana because of medical necessity, the court shall dismiss the charge.

(iii)

- 1. In a prosecution for the use or possession of marijuana under this section, it is an affirmative defense that the defendant used or possessed marijuana because:
  - A. the defendant has a debilitating medical condition that has been diagnosed by a physician with whom the defendant has a bona fide physician-patient relationship;
  - B. the debilitating medical condition is severe and resistant to conventional medicine; and
  - C. marijuana is likely to provide the defendant with therapeutic or palliative relief from the debilitating medical condition.
- 2.
  - A. In a prosecution for the possession of marijuana under this section, it is an affirmative defense that the defendant possessed marijuana because the marijuana was intended for medical use by an individual with a debilitating medical condition for whom the defendant is a caregiver.
  - B. A defendant may not assert the affirmative defense under this subsubparagraph unless the defendant notifies the State's

Attorney of the defendant's intention to assert the affirmative defense and provides the State's Attorney with all documentation in support of the affirmative defense in accordance with the rules of discovery provided in Maryland Rules 4-262 and 4-263.

3. An affirmative defense under this subparagraph may not be used if the defendant was:
    - A. using marijuana in a public place or assisting the individual for whom the defendant is a caregiver in using the marijuana in a public place; or
    - B. in possession of more than 1 ounce of marijuana.
  - (4) A violation of this section involving the smoking of marijuana in a public place is a civil offense punishable by a fine not exceeding \$ 500.
- (d) Effect of (c)(2)(ii) on other laws. -- The provisions of subsection (c)(2)(ii) of this section making the possession of marijuana a civil offense may not be construed to affect the laws relating to:
- (1) operating a vehicle or vessel while under the influence of or while impaired by a controlled dangerous substance; or
  - (2) seizure and forfeiture.
- (e) Assessment for substance use disorder; treatment. --
- (1)
    - (i) Before imposing a sentence under subsection (c) of this section, the court may order the Maryland Department of Health or a certified and licensed designee to conduct an assessment of the defendant for substance use disorder and determine whether the defendant is in need of and may benefit from drug treatment.
    - (ii) If an assessment for substance use disorder is requested by the defendant and the court denies the request, the court shall state on the record the basis for the denial.
  - (2) On receiving an order under paragraph (1) of this subsection, the Maryland Department of Health, or the designee, shall conduct an assessment of the defendant for substance use disorder and provide the results to the court, the defendant or the defendant's attorney, and the State identifying the defendant's drug treatment needs.
  - (3) The court shall consider the results of an assessment performed under paragraph (2) of this subsection when imposing the defendant's sentence and:
    - (i) except as provided in subparagraph (ii) of this paragraph, the court shall suspend the execution of the sentence and order probation and, if the assessment shows that the defendant is in need of substance abuse treatment, require the Maryland Department of Health or the designee to provide the medically appropriate level of treatment as identified in the assessment; or
    - (ii) the court may impose a term of imprisonment under subsection (c) of this section and order the Division of Correction or local correctional facility to facilitate the medically appropriate level of treatment for the defendant as identified in the assessment.

5-601.1 Citation for possession of less than 10 grams of marijuana

- (a) In general. -- A police officer shall issue a citation to a person who the police officer has probable cause to believe has committed a violation of § 5-601 of this part involving the use or possession of less than 10 grams of marijuana.
- (b) Civil offense. --
  - (1) A violation of § 5-601 of this part involving the use or possession of less than 10 grams of marijuana is a civil offense.
  - (2) Adjudication of a violation under § 5-601 of this part involving the use or possession of less than 10 grams of marijuana:
    - (i) is not a criminal conviction for any purpose; and
    - (ii) does not impose any of the civil disabilities that may result from a criminal conviction.
- (c) Contents. --
  - (1) A citation issued for a violation of § 5-601 of this part involving the use or possession of less than 10 grams of marijuana shall be signed by the police officer who issues the citation and shall contain:
    - (i) the name, address, and date of birth of the person charged;
    - (ii) the date and time that the violation occurred;
    - (iii) the location at which the violation occurred;
    - (iv) the fine that may be imposed;
    - (v) a notice stating that prepayment of the fine is allowed, except as provided in paragraph (2) of this subsection; and
    - (vi) a notice in boldface type that states that the person shall:
      - 1. pay the full amount of the preset fine; or
      - 2. request a trial date at the date, time, and place established by the District Court by writ or trial notice.
  - (2)
    - (i) If a citation for a violation of § 5-601 of this part involving the use or possession of less than 10 grams of marijuana is issued to a person under the age of 21 years, the court shall summon the person for trial.
    - (ii) If the court finds that a person at least 21 years old who has been issued a citation under this section has at least twice previously been found guilty under § 5-601 of this part involving the use or possession of less than 10 grams of marijuana, the court shall summon the person for trial.
- (d) Form. -- The form of the citation shall be uniform throughout the State and shall be prescribed by the District Court.
- (e) Schedule for prepayment of fine. --
  - (1) The Chief Judge of the District Court shall establish a schedule for the prepayment of the fine.
  - (2) Prepayment of a fine shall be considered a plea of guilty to a Code violation.
  - (3) A person described in subsection (c)(2) of this section may not prepay the fine.
- (f) Request for trial. --
  - (1) A person may request a trial by sending a request for trial to the District Court in the jurisdiction where the citation was issued within 30 days of the issuance of the citation.

- (2) If a person other than a person described in subsection (c)(2) of this section does not request a trial or prepay the fine within 30 days of the issuance of the citation, the court may impose the maximum fine and costs against the person and find the person is guilty of a Code violation for purposes of subsection (c)(2)(ii) of this section.
- (g) Forwarding citation and request to district court. -- The issuing jurisdiction shall forward a copy of the citation and a request for trial to the District Court in the district having venue.
- (h) Failure to respond to summons; failure to appear after request for trial. --
  - (1) The failure of a defendant to respond to a summons described in subsection (c)(2) of this section shall be governed by § 5-212 of the Criminal Procedure Article.
  - (2) If a person at least 21 years old fails to appear after having requested a trial, the court may impose the maximum fine and costs against the person and find the person is guilty of a Code violation for purposes of subsection (c)(2)(ii) of this section.
- (i) Burden of proof; evidentiary standards. -- In any proceeding for a Code violation under § 5-601 of this part involving the use or possession of less than 10 grams of marijuana:
  - (1) the State has the burden to prove the guilt of the defendant by a preponderance of the evidence;
  - (2) the court shall apply the evidentiary standards as prescribed by law or rule for the trial of a criminal case;
  - (3) the court shall ensure that the defendant has received a copy of the charges against the defendant and that the defendant understands those charges;
  - (4) the defendant is entitled to cross-examine all witnesses who appear against the defendant, to produce evidence or witnesses on behalf of the defendant, and to testify on the defendant's own behalf, if the defendant chooses to do so;
  - (5) the defendant is entitled to be represented by counsel of the defendant's choice and at the expense of the defendant; and
  - (6) the defendant may enter a plea of guilty or not guilty, and the verdict of the court in the case shall be:
    - (i) guilty of a Code violation;
    - (ii) not guilty of a Code violation; or
    - (iii) probation before judgment, imposed by the court in the same manner and to the same extent as is allowed by law in the trial of a criminal case.
- (j) Court costs. --
  - (1) The defendant is liable for the costs of the proceedings in the District Court.
  - (2) The court costs in a Code violation case under § 5-601 of this part involving the use or possession of less than 10 grams of marijuana in which costs are imposed are \$ 5.
- (k) Prosecution. --
  - (1) The State's Attorney for any county may prosecute a Code violation under § 5-601 of this part involving the use or possession of less than 10 grams of marijuana in the same manner as prosecution of a violation of the criminal laws of the State.
  - (2) In a Code violation case under § 5-601 of this part involving the use or possession of less than 10 grams of marijuana, the State's Attorney may:
    - (i) enter a nolle prosequi or move to place the case on the stet docket; and
    - (ii) exercise authority in the same manner as prescribed by law for violation of the criminal laws of the State.
- (l) Applicability of procedures and dispositions provided in Title 3, Subtitle 8A of the Courts Article. -- A person issued a citation for a violation of § 5-601 of this part involving the use

or possession of less than 10 grams of marijuana who is under the age of 18 years shall be subject to the procedures and dispositions provided in Title 3, Subtitle 8A of the Courts Article.

- (m) Confidentiality. -- A citation for a violation of § 5-601 of this part involving the use or possession of less than 10 grams of marijuana and the official record of a court regarding the citation are not subject to public inspection and may not be included on the public Web site maintained by the Maryland Judiciary if:
- (1) the defendant has prepaid the fine;
  - (2) the defendant has pled guilty to or been found guilty of the Code violation and has fully paid the fine and costs imposed for the violation;
  - (3) the defendant has received a probation before judgment and has fully paid the fine and completed any terms imposed by the court;
  - (4) the case has been removed from the stet docket after the defendant fully paid the fine and completed any terms imposed by the court;
  - (5) the State has entered a nolle prosequi;
  - (6) the defendant has been found not guilty of the charge; or
  - (7) the charge has been dismissed.

#### 5-602. Distributing, possessing with intent to distribute, or dispensing controlled dangerous substance

Except as otherwise provided in this title, a person may not:

- (1) distribute or dispense a controlled dangerous substance; or
- (2) possess a controlled dangerous substance in sufficient quantity reasonably to indicate under all circumstances an intent to distribute or dispense a controlled dangerous substance.

#### 5-603. Equipment to produce controlled dangerous substance

Except as otherwise provided in this title, a person may not manufacture a controlled dangerous substance, or manufacture, distribute, or possess a machine, equipment, instrument, implement, device, or a combination of them that is adapted to produce a controlled dangerous substance under circumstances that reasonably indicate an intent to use it to produce, sell, or dispense a controlled dangerous substance in violation of this title.

#### 5-604. Counterfeit substance

- (a) "Counterfeit substance" defined. -- In this section, "counterfeit substance" means a controlled dangerous substance, or its container or labeling, that:
- (1) without authorization, bears a likeness of the trademark, trade name, or other identifying mark, imprint, number, or device of a manufacturer, distributor, or dispenser other than the actual manufacturer, distributor, or dispenser; and
  - (2) thereby falsely purports or is represented to be the product of, or to have been distributed by, the other manufacturer, distributor, or dispenser.
- (b) Prohibited -- Creating or possessing counterfeit substance. -- Except as otherwise provided in this title, a person may not:
- (1) create or distribute a counterfeit substance; or
  - (2) possess a counterfeit substance with intent to distribute it.
- (c) Prohibited -- Equipment to create counterfeit substance. -- Except as otherwise provided in this title, a person may not manufacture, distribute, or possess equipment that is designed to

print, imprint, or reproduce an authentic or imitation trademark, trade name, other identifying mark, imprint, number, or device of another onto a drug or the container or label of a drug, rendering the drug a counterfeit substance.

#### 5-605. Keeping common nuisance

- (a) "Common nuisance" defined. -- "Common nuisance" means a dwelling, building, vehicle, vessel, aircraft, or other place:
  - (1) resorted to by individuals for the purpose of administering illegally controlled dangerous substances; or
  - (2) where controlled dangerous substances or controlled paraphernalia are manufactured, distributed, dispensed, stored, or concealed illegally.
- (b) Prohibited. -- A person may not keep a common nuisance.

#### 5-606. False prescription

- (a) Prohibited. -- Except as otherwise provided in this title, a person may not pass, issue, make, or possess a false, counterfeit, or altered prescription for a controlled dangerous substance with intent to distribute the controlled dangerous substance.
- (b) Information not privileged. -- Information that is communicated to an authorized prescriber in an effort to obtain a controlled dangerous substance in violation of subsection (a) of this section is not a privileged communication.

#### 5-607. Penalties—Certain crimes

- (a) In general. -- Except as provided in §§ 5-608 and 5-609 of this subtitle, a person who violates a provision of §§ 5-602 through 5-606 of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$ 15,000 or both.
- (b) Participation in drug treatment program. -- A person convicted under this section is not prohibited from participating in a drug treatment program under § 8-507 of the Health - General Article because of the length of the sentence.

#### 5-608. Penalties—Narcotic drug

- (a) In general. -- Except as otherwise provided in this section, a person who violates a provision of §§ 5-602 through 5-606 of this subtitle with respect to a Schedule I or Schedule II narcotic drug is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$ 15,000 or both.
- (b) Second time offender. -- A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is subject to imprisonment not exceeding 20 years or a fine not exceeding \$ 15,000 or both if the person previously has been convicted once:
  - (1) under subsection (a) of this section or § 5-609 of this subtitle;
  - (2) of conspiracy to commit a crime included in subsection (a) of this section or § 5-609 of this subtitle; or
  - (3) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5-609 of this subtitle if committed in this State.
- (c) Third time offender. --

- (1) A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is subject to imprisonment not exceeding 25 years or a fine not exceeding \$ 25,000 or both if the person previously:
  - (i) has served at least one term of confinement of at least 180 days in a correctional institution as a result of a conviction:
    1. under subsection (a) of this section or § 5-609 or § 5-614 of this subtitle;
    2. of conspiracy to commit a crime included in subsection (a) of this section or § 5-609 of this subtitle; or
    3. of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5-609 of this subtitle if committed in this State; and
  - (ii) has been convicted twice, if the convictions arise from separate occasions:
    1. under subsection (a) of this section or § 5-609 of this subtitle;
    2. of conspiracy to commit a crime included in subsection (a) of this section or § 5-609 of this subtitle;
    3. of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5-609 of this subtitle if committed in this State; or
    4. of any combination of these crimes.
- (2) A separate occasion is one in which the second or succeeding crime is committed after there has been a charging document filed for the preceding crime.
- (d) Fourth time offender. -- A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is subject to imprisonment not exceeding 40 years or a fine not exceeding \$ 25,000 or both if the person previously has served three or more separate terms of confinement as a result of three or more separate convictions:
  - (1) under subsection (a) of this section or § 5-609 of this subtitle;
  - (2) of conspiracy to commit a crime included in subsection (a) of this section or § 5-609 of this subtitle;
  - (3) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5-609 of this subtitle if committed in this State; or
  - (4) of any combination of these crimes.
- (e) Participation in drug treatment program. -- A person convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is not prohibited from participating in a drug treatment program under § 8-507 of the Health - General Article because of the length of the sentence.

5-608.1. Penalties—Distribution of fentanyl and fentanyl mixtures.

- (a) Violation of § 5-602. -- A person may not knowingly violate § 5-602 of this subtitle with:
  - (1) a mixture that contains heroin and a detectable amount of fentanyl or any analogue of fentanyl; or
  - (2) fentanyl or any analogue of fentanyl.

- (b) Penalty. -- A person who violates this section is guilty of a felony and, in addition to any other penalty imposed for a violation of § 5-602 of this subtitle, on conviction is subject to imprisonment not exceeding 10 years.
- (c) Consecutive sentencing. -- A sentence imposed under this section shall be consecutive to and not concurrent with any other sentence imposed under any other provision of law.

5-609. Penalties—Selected Schedule I and II hallucinogenic substances

- (a) In general. -- Except as otherwise provided in this section, a person who violates a provision of §§ 5-602 through 5-606 of this subtitle with respect to any of the following controlled dangerous substances is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$ 15,000 or both:
  - (1) phencyclidine;
  - (2) 1-(1-phenylcyclohexyl) piperidine;
  - (3) 1-phenylcyclohexylamine;
  - (4) 1-piperidinocyclohexanecarbonitrile;
  - (5) N-ethyl-1-phenylcyclohexylamine;
  - (6) 1-(1-phenylcyclohexyl)-pyrrolidine;
  - (7) 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
  - (8) lysergic acid diethylamide; or
  - (9) 750 grams or more of 3, 4-methylenedioxymethamphetamine (MDMA).
- (b) Second time offender. -- A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is subject to imprisonment not exceeding 20 years or a fine not exceeding \$ 15,000 or both if the person previously has been convicted once:
  - (1) under subsection (a) of this section or § 5-608 of this subtitle;
  - (2) of conspiracy to commit a crime included in subsection (a) of this section or § 5-608 of this subtitle;
  - (3) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5-608 of this subtitle if committed in this State; or
  - (4) of any combination of these crimes.
- (c) Third time offender. --
  - (1) A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is subject to imprisonment not exceeding 25 years or a fine not exceeding \$ 25,000 or both if the person previously:
    - (i) has served at least one term of confinement of at least 180 days in a correctional institution as a result of a conviction under subsection (a) of this section, § 5-608 of this subtitle, or § 5-614 of this subtitle; and
    - (ii) if the convictions do not arise from a single incident, has been convicted twice:
      - 1. under subsection (a) of this section or § 5-608 of this subtitle;
      - 2. of conspiracy to commit a crime included in subsection (a) of this section or § 5-608 of this subtitle;

3. of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5-608 of this subtitle if committed in this State; or
  4. of any combination of these crimes.
- (2) A separate occasion is one in which the second or succeeding crime is committed after there has been a charging document filed for the preceding crime.
- (d) Fourth time offender. -- A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is subject to imprisonment not exceeding 40 years or a fine not exceeding \$ 25,000 or both if the person previously has served three separate terms of confinement as a result of three separate convictions:
- (1) under subsection (a) of this section or § 5-608 of this subtitle;
  - (2) of conspiracy to commit a crime included in subsection (a) of this section or § 5-608 of this subtitle;
  - (3) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5-608 of this subtitle if committed in this State; or
  - (4) of any combination of these crimes.
- (e) Participation in drug treatment program. -- A person convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is not prohibited from participating in a drug treatment program under § 8-507 of the Health - General Article because of the length of the sentence.

#### 5-612. Volume Dealer

- (a) Unlawful amounts. -- A person may not manufacture, distribute, dispense, or possess:
- (1) 50 pounds or more of marijuana;
  - (2) 448 grams or more of cocaine;
  - (3) 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of cocaine;
  - (4) 448 grams or more of cocaine base, commonly known as "crack";
  - (5) 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
  - (6) 28 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
  - (7) 5 grams or more of fentanyl or any structural variation of fentanyl that is scheduled by the United States Drug Enforcement Administration;
  - (8) 28 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of fentanyl or any structural variation of fentanyl that is scheduled by the United States Drug Enforcement Administration;
  - (9) 1,000 dosage units or more of lysergic acid diethylamide;
  - (10) any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
  - (11) 16 ounces or more of phencyclidine in liquid form;

- (12) 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of phencyclidine;
  - (13) 448 grams or more of methamphetamine; or
  - (14) 448 grams or more of any mixture containing a detectable amount, as scientifically measured using representative sampling methodology, of methamphetamine.
- (b) Aggregation of amounts. -- For the purpose of determining the quantity of a controlled dangerous substance involved in individual acts of manufacturing, distributing, dispensing, or possessing under subsection (a) of this section, the acts may be aggregated if each of the acts occurred within a 90-day period.
- (c) Enhanced penalty. --
- (1) A person who is convicted of a violation of subsection (a) of this section shall be sentenced to imprisonment for not less than 5 years and is subject to a fine not exceeding \$ 100,000.
  - (2) The court may not suspend any part of the mandatory minimum sentence of 5 years.
  - (3) Except as provided in § 4-305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.

#### 5-613. Drug kingpin

- (a) "Drug kingpin" defined. -- In this section, "drug kingpin" means an organizer, supervisor, financier, or manager who acts as a coconspirator in a conspiracy to manufacture, distribute, dispense, transport in, or bring into the State a controlled dangerous substance.
- (b) Drug kingpin conspiracy; penalty. --
- (1) A drug kingpin who conspires to manufacture, distribute, dispense, transport in, or bring into the State a controlled dangerous substance in an amount listed in § 5-612 of this subtitle is guilty of a felony and on conviction is subject to imprisonment for not less than 20 years and not exceeding 40 years without the possibility of parole or a fine not exceeding \$ 1,000,000 or both.
  - (2) A court may not suspend any part of the mandatory minimum sentence of 20 years.
  - (3) The person is not eligible for parole during the mandatory minimum sentence.
- (c) Ultimate distributing or dispensing elsewhere not a defense. -- It is not a defense to a prosecution under this section that the controlled dangerous substance was brought into or transported in the State solely for ultimate distribution or dispensing in another jurisdiction.
- (d) Merger. -- Notwithstanding any other provision of this title, a conviction under this section does not merge with the conviction for any crime that is the object of the conspiracy.
- (e) Probation before judgment. -- The provisions of § 6-220 of the Criminal Procedure Article do not apply to a conviction under this section.
- (f) Construction of section. -- This section does not:
- (1) prohibit a court from imposing an enhanced penalty under § 5-905 of this title; or
  - (2) preclude or limit a prosecution for any other crime.

#### 5-614. Importer of certain controlled dangerous substances

- (a) Unlawful amounts. --
- (1) Unless authorized by law to possess the substance, a person may not bring into the State:
    - (i) 45 kilograms or more of marijuana;
    - (ii) 28 grams or more of cocaine;

- (iii) any mixture containing 28 grams or more of cocaine;
  - (iv) 4 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
  - (v) 1,000 dosage units of lysergic acid diethylamide;
  - (vi) any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
  - (vii) 28 grams or more of phencyclidine in liquid or powder form;
  - (viii) 112 grams or more of any mixture containing phencyclidine;
  - (ix) 1,000 dosage units or more of methaqualone;
  - (x) 28 grams or more of methamphetamine;
  - (xi) any mixture containing 28 grams or more of methamphetamine; or
  - (xii) 4 grams or more of fentanyl or a fentanyl analogue.
- (2) A person who violates this subsection is guilty of a felony and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding \$ 50,000 or both.
- (b) Unlawful amounts -- Smaller amounts of marijuana. --
- (1) Unless authorized by law to possess the marijuana, a person may not bring into the State more than 5 kilograms but less than 45 kilograms of marijuana.
  - (2) A person who violates this subsection is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$ 10,000 or both.

#### 5-617. Distributing faked controlled dangerous substance

- (a) Prohibited. -- A person may not distribute, attempt to distribute, or possess with intent to distribute a noncontrolled substance:
- (1) that the person represents as a controlled dangerous substance;
  - (2) that the person intends for use or distribution as a controlled dangerous substance; or
  - (3) under circumstances where one reasonably should know that the noncontrolled substance will be used or distributed for use as a controlled dangerous substance.
- (b) Considerations. -- To determine if a person has violated this section, the court or other authority shall include in its consideration:
- (1) whether the noncontrolled substance was packaged in a manner normally used to distribute a controlled dangerous substance illegally;
  - (2) whether the distribution or attempted distribution included an exchange of or demand for money or other property as consideration, and whether the amount of consideration was substantially greater than the reasonable value of the noncontrolled substance; and
  - (3) whether the physical appearance of the noncontrolled substance is substantially identical to that of a controlled dangerous substance.
- (c) Penalty. -- A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$ 15,000 or both.
- (d) Belief not a defense. -- It is not a defense to a prosecution under this section that the defendant believed that the noncontrolled substance was a controlled dangerous substance.

#### 5-618. Possession or purchase of noncontrolled substance

- (a) Prohibited. -- Except as authorized in this title, a person may not possess or purchase a noncontrolled substance that the person reasonably believes is a controlled dangerous substance.
- (b) Considerations. -- To determine if a person has violated this section, the court shall include in its consideration:
  - (1) whether the noncontrolled substance was packaged in a manner normally used to illegally distribute a controlled dangerous substance;
  - (2) if the noncontrolled substance was purchased, whether the amount of the consideration was substantially greater than the reasonable value of the noncontrolled substance; and
  - (3) whether the physical appearance of the noncontrolled substance is substantially identical to that of a controlled dangerous substance.
- (c) Reasonable belief not a defense. -- It is not a defense to a prosecution under this section that the substance a person possessed or purchased was not a controlled dangerous substance if the person reasonably believed that it was a controlled dangerous substance.
- (d) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$ 500 or both.

#### 5-619. Drug paraphernalia

- (a) Factors to determine drug paraphernalia. -- To determine whether an object is drug paraphernalia, a court shall consider, among other logically relevant factors:
  - (1) any statement by an owner or a person in control of the object concerning its use;
  - (2) any prior conviction of an owner or a person in control of the object under a State or federal law relating to a controlled dangerous substance;
  - (3) the proximity of the object, in time and space, to a direct violation of this section or to a controlled dangerous substance;
  - (4) a residue of a controlled dangerous substance on the object;
  - (5) direct or circumstantial evidence of the intent of an owner or a person in control of the object to deliver it to another who, the owner or the person knows or should reasonably know, intends to use the object to facilitate a violation of this section;
  - (6) any instructions, oral or written, provided with the object concerning its use;
  - (7) any descriptive materials accompanying the object that explain or depict its use;
  - (8) national and local advertising concerning use of the object;
  - (9) the manner in which the object is displayed for sale;
  - (10) whether the owner or a person in control of the object is a licensed distributor or dealer of tobacco products or other legitimate supplier of related items to the community;
  - (11) direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
  - (12) the existence and scope of legitimate uses for the object in the community; and
  - (13) expert testimony concerning use of the object.
- (b) Finding of intention or design -- Innocence of owner not dispositive. -- The innocence of an owner or a person in control of the object as to a direct violation of this section does not prevent a finding that the object is intended for use or designed for use as drug paraphernalia.
- (c) Use or possession with intent to use; penalty. --

- (1) This subsection does not apply to the use or possession of drug paraphernalia involving the use or possession of marijuana.
  - (2) Unless authorized under this title, a person may not use or possess with intent to use drug paraphernalia to:
    - (i) plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, pack, repack, store, contain, or conceal a controlled dangerous substance; or
    - (ii) inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance.
  - (3) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:
    - (i) for a first violation, a fine not exceeding \$ 500; and
    - (ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$ 2,000 or both.
  - (4) A person who is convicted of violating this subsection for the first time and who previously has been convicted of violating subsection (d)(4) of this section is subject to the penalty specified under paragraph (3)(ii) of this subsection.
- (d) Delivery or sale; penalty. --
- (1) Unless authorized under this title, a person may not deliver or sell, or manufacture or possess with intent to deliver or sell, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that the drug paraphernalia will be used to:
    - (i) plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, pack, repack, store, contain, or conceal a controlled dangerous substance; or
    - (ii) inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance.
  - (2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:
    - (i) for a first violation, a fine not exceeding \$ 500; and
    - (ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$ 2,000 or both.
  - (3) A person who is convicted of violating this subsection for the first time and who previously has been convicted of violating paragraph (4) of this subsection is subject to imprisonment not exceeding 2 years or a fine not exceeding \$ 2,000 or both.
  - (4) If a person who is at least 18 years old violates paragraph (1) of this subsection by delivering drug paraphernalia to a minor who is at least 3 years younger than the person, the person is guilty of a separate misdemeanor and on conviction is subject to imprisonment not exceeding 8 years or a fine not exceeding \$ 15,000 or both.
- (e) Advertising; penalty. --
- (1) A person may not advertise in a newspaper, magazine, handbill, poster, sign, mailing, or other writing or publication, or by sound truck, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, wholly or partly, is to promote the sale or delivery of drug paraphernalia.
  - (2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:

- (i) for a first violation, a fine not exceeding \$ 500; and
- (ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$ 2,000 or both.

5-620. Controlled paraphernalia

- (a) Prohibited. -- Unless authorized under this title, a person may not:
  - (1) obtain or attempt to obtain controlled paraphernalia by:
    - (i) fraud, deceit, misrepresentation, or subterfuge;
    - (ii) counterfeiting a prescription or a written order;
    - (iii) concealing a material fact or the use of a false name or address;
    - (iv) falsely assuming the title of or representing to be a manufacturer, distributor, or authorized provider; or
    - (v) making or issuing a false or counterfeit prescription or written order; or
  - (2) possess or distribute controlled paraphernalia under circumstances which reasonably indicate an intention to use the controlled paraphernalia for purposes of illegally administering a controlled dangerous substance.
- (b) Evidence of unlawful intent. -- Evidence of circumstances that reasonably indicate an intent to use controlled paraphernalia to manufacture, administer, distribute, or dispense a controlled dangerous substance unlawfully include the close proximity of the controlled paraphernalia to an adulterant, diluent, or equipment commonly used to illegally manufacture, administer, distribute, or dispense controlled dangerous substances, including:
  - (1) a scale;
  - (2) a sieve;
  - (3) a strainer;
  - (4) a measuring spoon;
  - (5) staples;
  - (6) a stapler;
  - (7) a glassine envelope;
  - (8) a gelatin capsule;
  - (9) procaine hydrochloride;
  - (10) mannitol;
  - (11) lactose;
  - (12) quinine; and
  - (13) a controlled dangerous substance.
- (c) Information not privileged. -- Information that is communicated to a physician to obtain controlled paraphernalia from the physician in violation of this subtitle is not a privileged communication.
- (d) Penalty. --
  - (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 4 years or a fine not exceeding \$ 25,000 or both.
  - (2) A person who violates this section involving the use or possession of marijuana is subject to imprisonment not exceeding 1 year or a fine not exceeding \$ 1,000 or both.

5-621. Use of weapon as separate crime

- (a) Definitions. --

- (1) In this section the following words have the meanings indicated.
  - (2) "Drug trafficking crime" means a felony or a conspiracy to commit a felony involving the possession, distribution, manufacture, or importation of a controlled dangerous substance under §§ 5-602 through 5-609 and 5-614 of this subtitle.
  - (3) "Forfeiting authority" means the office or person designated by agreement between the State's Attorney for a county and the chief executive officer of the governing body that has jurisdiction over the assets subject to forfeiture.
- (b) Prohibited. -- During and in relation to a drug trafficking crime, a person may not:
- (1) possess a firearm under sufficient circumstances to constitute a nexus to the drug trafficking crime; or
  - (2) use, wear, carry, or transport a firearm.
- (c) Penalty. --
- (1) In addition to the sentence provided for the drug trafficking crime, a person who violates subsection (b) of this section is guilty of a felony and on conviction is subject to:
    - (i) for a first violation, imprisonment for not less than 5 years and not exceeding 20 years; or
    - (ii) for each subsequent violation, imprisonment for not less than 10 years and not exceeding 20 years.
  - (2)
    - (i) The court shall impose a minimum sentence of 5 years under paragraph (1)(i) of this subsection.
    - (ii) The court shall impose a minimum sentence of 10 years under paragraph (1)(ii) of this subsection.
  - (3)
    - (i) A court may not suspend any part of a mandatory minimum sentence.
    - (ii) Except as provided in § 4-305 of the Correctional Services Article, a person sentenced under this subsection is not eligible for parole.
    - (iii) A sentence imposed under paragraph (1)(ii) of this subsection shall be consecutive to and not concurrent with any other sentence imposed by virtue of the commission of the drug trafficking crime.
- (d) Enhanced sentence. --
- (1)
    - (i) In this subsection, "firearm silencer" means a device that is designed for silencing, muffling, or diminishing the report of a firearm.
    - (ii) "Firearm silencer" includes a combination of parts designed, redesigned, or intended for use in assembling or fabricating a firearm silencer or muffler.
  - (2) A court shall double the minimum mandatory sentence provided in subsection (c)(1)(ii) of this section if the firearm used during and in relation to a drug trafficking crime is:
    - (i) listed in § 4-301 of this article or § 5-101 of the Public Safety Article;
    - (ii) a machine gun; or
    - (iii) equipped with a firearm silencer.
- (e) Forfeiture of firearm. --
- (1) A firearm or ammunition seized under this section is contraband and shall be forfeited summarily to a forfeiting authority.

- (2) Unless otherwise prohibited by law or if forfeiture proceedings have begun, the forfeiting authority shall return the seized property to the owner or possessor within 90 days after the date of seizure if:
  - (i) the owner or possessor of the property seized is acquitted; or
  - (ii) the charges against the person are dismissed.
- (3) Unless otherwise prohibited by law, the forfeiting authority shall return the seized property to the owner or possessor promptly if the State:
  - (i) enters a nolle prosequi against the owner or possessor of property seized; and
  - (ii) does not charge the person within 90 days after the nolle prosequi is entered.

5-623. Proceeds of drug crime

(a) Definitions. --

- (1) In this section the following words have the meanings indicated.
  - (2) "Drug crime" means:
    - (i) a crime under this title; or
    - (ii) a crime committed in another jurisdiction that would be a crime under this title if committed in this State.
  - (3) "Financial transaction" means:
    - (i) a payment;
    - (ii) a purchase;
    - (iii) a sale;
    - (iv) a loan;
    - (v) a pledge;
    - (vi) a transfer;
    - (vii) a delivery;
    - (viii) a deposit;
    - (ix) a withdrawal; or
    - (x) an extension of credit or exchange of a monetary instrument or equivalent property, including precious metals, stones or jewelry, airline tickets, stamps, or credit in a financial institution as defined in § 1-101 of the Financial Institutions Article.
  - (4) "Monetary instrument" means:
    - (i) coin or currency of the United States or any other country;
    - (ii) a bank check;
    - (iii) a travelers' check;
    - (iv) a money order;
    - (v) an investment security; or
    - (vi) a negotiable instrument.
  - (5) "Proceeds" means money or any other property with a value exceeding \$ 10,000.
- (b) Prohibited. -- Except for a financial transaction necessary to preserve a person's right to representation as guaranteed by the 6th Amendment to the United States Constitution and Article 21 of the Maryland Declaration of Rights, a person may not, with the intent to promote a drug crime or with the intent to conceal or disguise the nature, location, source, ownership, or control of proceeds of a drug crime:
- (1) receive or acquire proceeds knowing that the proceeds are derived from a drug crime;

- (2) engage in a financial transaction involving proceeds knowing that the proceeds are derived from a drug crime;
  - (3) give, sell, transfer, trade, invest, conceal, transport, or maintain an interest in proceeds knowing that the proceeds are derived from a drug crime;
  - (4) direct, promote, plan, organize, initiate, finance, manage, supervise, or facilitate the transportation or transfer of proceeds knowing that the proceeds are derived from a drug crime; or
  - (5) conduct a financial transaction involving proceeds knowing that the proceeds are derived from a drug crime.
- (c) Penalty. -- A person who violates this section is guilty of a felony and on conviction is subject to:
- (1) for a first violation:
    - (i) imprisonment not exceeding 5 years;
    - (ii) a fine not exceeding the greater of \$ 250,000 or twice the value of the proceeds involved in the financial transaction; or
    - (iii) both; or
  - (2) for each subsequent violation:
    - (i) imprisonment not exceeding 10 years;
    - (ii) a fine not exceeding the greater of \$ 500,000 or 5 times the value of the proceeds involved in the financial transaction; or
    - (iii) both.
- (d) Separate violation. -- Notwithstanding any other provision of law, for purposes of this section each financial transaction is a separate violation.

#### 5-624. Drug-induced conduct

- (a) "Drug" defined. -- In this section, "drug" does not include alcohol.
- (b) Prohibited. -- A person may not administer a controlled dangerous substance or other drug to another without that person's knowledge and commit against that other:
  - (1) a crime of violence as defined in § 14-101 of this article; or
  - (2) a sexual offense in the third degree under § 3-307 of this article.
- (c) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$ 2,500 or both.
- (d) Sentencing. -- A sentence imposed under this section may be separate from and consecutive to or concurrent with a sentence for any crime based on the act or acts establishing the violation of this section.

#### 5-627. Controlled dangerous substance near school

- (a) Prohibited. -- A person may not manufacture, distribute, dispense, or possess with intent to distribute a controlled dangerous substance in violation of § 5-602 of this subtitle or conspire to commit any of these crimes:
  - (1) in a school vehicle, as defined under § 11-154 of the Transportation Article; or
  - (2) in, on, or within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or county board and used for elementary or secondary education.
- (b) Application of subsection (a). -- Subsection (a) of this section applies whether or not:
  - (1) school was in session at the time of the crime; or

- (2) the real property was being used for purposes other than school purposes at the time of the crime.
- (c) Penalty. –
- (1) A person who violates this section is guilty of a felony and on conviction is subject to:
- (i) for a first violation, imprisonment not exceeding 20 years or a fine not exceeding \$ 20,000 or both; or
  - (ii) for each subsequent violation, imprisonment not less than 5 years and not exceeding 40 years or a fine not exceeding \$ 40,000 or both.
- (2)
- (i) The court may not suspend the 5-year minimum sentence required by paragraph (1)(ii) of this subsection.
  - (ii) Except as otherwise provided in § 4-305 of the Correctional Services Article, a person sentenced under paragraph (1)(ii) of this subsection is not eligible for parole during this period of the 5-year minimum sentence.
- (3) A sentence imposed under paragraph (1) of this subsection shall be consecutive to any other sentence imposed.
- (d) Merger. -- Notwithstanding any other law, a conviction under this section may not merge with a conviction under § 5-602, § 5-603, § 5-604, § 5-605, § 5-606, § 5-607, § 5-608, § 5-609, § 5-612, § 5-613, or § 5-628 of this subtitle.
- (e) Map as evidence. --
- (1) In a prosecution under this section, a map or certified copy of a map made by a county or municipal unit to depict the location and boundaries of the area within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or county board and used for school purposes is admissible as prima facie evidence of the location and boundaries of the depicted area, if the governing body of the county or municipal corporation approves the map or certified copy of the map as an official record of the location and boundaries of the depicted area.
  - (2) The map or a certified copy of the map shall be filed with the county or municipal corporation, which shall maintain the map or the certified copy of the map as an official record.
  - (3) The governing body of the county or municipal corporation may revise periodically the map or certified copy of the map.
  - (4) This subsection does not preclude the prosecution from introducing other evidence to establish an element of a crime under this section.
  - (5) This subsection does not preclude the use or admissibility of maps or diagrams other than those approved by the county or municipal corporation.

#### 5-628. Use of minor

(a) Prohibited. --

(1)

- (i) Except as provided in subparagraph (ii) of this paragraph, a person may not hire, solicit, engage, or use a minor to manufacture, deliver, or distribute on behalf of that person a controlled dangerous substance in sufficient quantity to reasonably indicate under all the circumstances an intent to distribute the controlled dangerous substance.

- (ii) This paragraph does not prohibit a person from hiring, soliciting, engaging, or using a minor to manufacture, deliver, or distribute a controlled dangerous substance if the manufacturing, delivering, or distributing has a lawful purpose.
- (2) A person may not transport, carry, or otherwise bring a minor into the State to use the minor to violate this section or § 5-602, § 5-603, § 5-604, § 5-605, § 5-606, § 5-612, § 5-613, § 5-617, or § 5-627 of this subtitle.
- (b) Penalty. -- A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$ 20,000 or both.

5-701. Dispensing prescription drug

- (a) Scope of section. -- Sections 5-701 through 5-704 of this subtitle apply to:
  - (1) the sale of prescription drugs by a manufacturer, wholesale distributor, retail pharmacist, or jobber to a person not legally qualified or authorized to purchase and hold prescription drugs for use or resale; and
  - (2) an authorized provider's assistant who is not licensed to administer prescription drugs.
- (b) Prohibited -- Dispensing not on prescription. -- A person may not dispense a prescription drug except:
  - (1) on an authorized provider's:
    - (i) written prescription; or
    - (ii) oral prescription that the pharmacist reduces to writing and files; or
  - (2) by refilling a written or oral prescription that is authorized:
    - (i) by the authorized provider in the original prescription; or
    - (ii) by oral direction that the pharmacist reduces to writing and files.
- (c) Prohibited -- Without required label. -- A person may not dispense a prescription drug by filling or refilling a written or oral prescription of an authorized provider unless the drug bears a label that, in addition to any requirements of the Department or federal law, contains:
  - (1) the name and address of the dispenser;
  - (2) the serial number and date of the prescription;
  - (3) the name of the authorized provider; and
  - (4) if stated in the prescription, the name and address of the patient and the directions for use.
- (d) Other prohibited acts. -- Except as otherwise provided under this title, a person may not:
  - (1) manufacture, distribute, or possess with intent to distribute a prescription drug;
  - (2) affix a false or counterfeit label to a package, container, or other receptacle containing a prescription drug;
  - (3) omit, remove, alter, or obliterate a label or symbol that is required by federal, State, or local law on a prescription drug; or
  - (4) obtain or attempt to obtain a prescription drug by:
    - (i) fraud, deceit, or misrepresentation;
    - (ii) the counterfeiting or altering of a prescription or written order;
    - (iii) concealing a material fact;
    - (iv) using a false name or address;
    - (v) falsely assuming the title of or falsely representing that the person is a manufacturer, distributor, or authorized provider; or

- (vi) making or issuing a false or counterfeit prescription or written order.
- (e) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding \$ 1,000 or both.

#### 5-703. Unsolicited mailing

- (a) Scope of section. -- This section does not apply to the mailing of a drug to a person who under State law is authorized to disburse, prescribe, or administer the drug.
- (b) Prohibited. -- A person may not send by mail a prescription drug, controlled dangerous substance, or medicine to "Resident", "Occupant", or to a named addressee who has not requested that the prescription drug, controlled dangerous substance, or medicine be mailed.
- (c) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$ 500 or both.

#### 5-708. Inhalant

- (a) Scope of section. --
  - (1) This section applies to fingernail polish, model airplane glue, or any other substance that causes intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system when smelled or inhaled.
  - (2) This section does not apply to:
    - (i) the inhalation of anaesthesia for medical or dental purposes; or
    - (ii) controlled dangerous substances.
- (b) Prohibited. --
  - (1) A person may not deliberately smell or inhale a substance listed in paragraph (2) of this subsection in an amount that causes intoxication, excitement, stupefaction, or dulling of the brain or nervous system.
  - (2) This section applies to a drug or any other noxious substance or chemical that contains:
    - (i) an aldehyde;
    - (ii) butane;
    - (iii) butyl nitrite;
    - (iv) a chlorinated hydrocarbon;
    - (v) ether;
    - (vi) a fluorinated hydrocarbon;
    - (vii) a ketone;
    - (viii) methyl benzene;
    - (ix) nitrous oxide;
    - (x) an organic acetate; or
    - (xi) another substance containing solvents releasing toxic vapors.
- (c) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$ 500 or both.

#### 5-709. Distribution of inhalant and instruction on inhaling

- (a) "Distribute" defined. -- In this section, "distribute" includes actual, constructive, or attempted transfer, exchange, or delivery, regardless of remuneration or agency relationship.
- (b) Prohibited -- Distribution of inhalants. -- A person may not distribute or possess with intent to distribute to another a substance listed in § 5-708 of this subtitle:

- (1) with the intent to induce unlawful inhaling of the substance; or
- (2) with the knowledge that the other will unlawfully inhale the substance.
- (c) Prohibited -- Instruction on inhaling. -- A person may not:
  - (1) instruct another in the practice of inhaling or smelling that is prohibited under § 5-708(b) of this subtitle; or
  - (2) distribute a butane canister to a minor.
- (d) Penalty. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 18 months or a fine not exceeding \$ 1,000 or both.

10-130. In general.

- (a) "Salvia divinorum" defined. -- In this part, "Salvia divinorum" includes Salvinorin A and any material, compound, mixture, preparation, or product that contains Salvia divinorum or Salvinorin A.
- (b) Use for research in accredited academic or medical institution or research facility permitted. -- Nothing in this part shall prohibit an accredited academic or medical institution or research facility from conducting research on Salvia divinorum or Salvinorin A or a derivative of Salvia divinorum or Salvinorin A.
- (c) Local or municipal regulation not preempted. -- This part does not preempt any local or municipal law regulating the use, possession, or distribution of Salvia divinorum or Salvinorin A.

10-131. Violations; defenses; penalties.

- (a) Distribution to persons under 21 years of age prohibited. -- A person may not distribute Salvia divinorum to an individual under the age of 21 years.
- (b) Defenses. -- In a prosecution for a violation of this section, it is a defense that the defendant examined the purchaser's or recipient's driver's license or other valid identification issued by an employer, a government unit, or an institution of higher education that positively identified the purchaser or recipient as at least 21 years of age.
- (c) Penalties. -- A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding:
  - (1) \$ 1,000 for a first violation;
  - (2) \$ 2,000 for a second violation occurring within 2 years after the first violation; and
  - (3) \$ 6,000 for each subsequent violation occurring within 2 years after the preceding violation.
- (d) Separate violations. -- For purposes of this section, each separate incident at a different time and occasion is a separate violation.

10.132. Possession by person under 21 years of age prohibited.

An individual under the age of 21 years may not possess Salvia divinorum.

10.133. Citations.

- (a) In general. -- A person who violates § 10-132 of this part shall be issued a citation under this section.
- (b) Who may issue. -- A citation for a violation of § 10-132 of this part may be issued by:
  - (1) a police officer authorized to make arrests; and

- (2) in State forestry reservations, State parks, historic monuments, and recreation areas, a forest or park warden under § 5-206(a) of the Natural Resources Article.
- (c) Issuance on probable cause of violation. -- A person authorized under this section to issue a citation shall issue the citation if the person has probable cause to believe that the person charged is committing or has committed a violation of § 10-132 of this part.
- (d) Form and contents. --
  - (1) Subject to paragraph (2) of this subsection, the form of citation issued to an adult for a violation of § 10-132 of this part shall be as prescribed by the District Court and shall be uniform throughout the State.
  - (2) The citation issued to an adult shall contain:
    - (i) the name and address of the person charged;
    - (ii) the statute allegedly violated;
    - (iii) the location, date, and time that the violation occurred;
    - (iv) the fine that may be imposed;
    - (v) a notice stating that prepayment of the fine is not allowed;
    - (vi) a notice that the District Court shall promptly send to the person charged a summons to appear for trial;
    - (vii) the signature of the person issuing the citation; and
    - (viii) a space for the person charged to sign the citation.
  - (3) The form of citation issued to a minor shall:
    - (i) be prescribed by the State Court Administrator;
    - (ii) be uniform throughout the State; and
    - (iii) contain the information listed in § 3-8A-33(b) of the Courts Article.
- (e) Copy to be forwarded to the District Court. --
  - (1) The issuing jurisdiction shall forward a copy of the citation and a request for trial to the District Court in the district having venue.
  - (2) The District Court shall promptly schedule the case for trial and summon the defendant to appear.
  - (3) Willful failure of the defendant to respond to a summons described in paragraph (2) of this subsection is contempt of court.
- (f) Nature of offense; disposition. --
  - (1) For purposes of this section, a violation of § 10-132 of this part is a Code violation and is a civil offense.
  - (2) A person charged who is under the age of 18 years shall be subject to the procedures and dispositions provided in Title 3, Subtitle 8A of the Courts Article.
  - (3) A person charged who is at least 18 years old shall be subject to the provisions of this section.
  - (4) Adjudication of a Code violation under § 10-132 of this part is not a criminal conviction for any purpose and does not impose any of the civil disabilities ordinarily imposed by a criminal conviction.
- (g) Procedure. -- In any proceeding for a Code violation under § 10-132 of this part:
  - (1) the State has the burden to prove the guilt of the defendant to the same extent as is required by law in the trial of criminal causes;
  - (2) the court shall apply the evidentiary standards as prescribed by law or rule for the trial of criminal causes;

- (3) the court shall ensure that the defendant has received a copy of the charges against the defendant and that the defendant understands those charges;
  - (4) the defendant is entitled to cross-examine all witnesses who appear against the defendant, to produce evidence or witnesses on behalf of the defendant, or to testify on the defendant's own behalf, if the defendant chooses to do so;
  - (5) the defendant is entitled to be represented by counsel of the defendant's choice and at the expense of the defendant; and
  - (6) the defendant may enter a plea of guilty or not guilty, and the verdict of the court in the case shall be:
    - (i) guilty of a Code violation;
    - (ii) not guilty of a Code violation; or
    - (iii) probation before judgment, imposed by the court in the same manner and to the same extent as is allowed by law in the trial of a criminal case.
- (h) Fines. --
- (1) If the District Court finds that a person has committed a Code violation, the court shall require the person to pay:
    - (i) for a first violation, a fine not exceeding \$ 500; or
    - (ii) for a second or subsequent violation, a fine not exceeding \$ 1,000.
  - (2) The Chief Judge of the District Court may not establish a schedule for the prepayment of fines for a violation under § 10-132 of this part.
- (i) Fines -- Payment. -- When a defendant has been found guilty of a Code violation and a fine has been imposed by the court:
- (1) the court may direct that the payment of the fine be suspended or deferred under conditions that the court may establish; and
  - (2) if the defendant willfully fails to pay the fine imposed by the court, that willful failure may be treated as a criminal contempt of court, for which the defendant may be punished by the court as provided by law.
- (j) Costs. --
- (1) The defendant is liable for the costs of the proceedings in the District Court and for payment to the Criminal Injuries Compensation Fund.
  - (2) The court costs in a Code violation case under § 10-132 of this part in which costs are imposed are \$ 5.
- (k) Appeals. --
- (1) A defendant who has been found guilty of a Code violation under § 10-132 of this part has the right to appeal or to file a motion for a new trial or a motion for a revision of a judgment provided by law in the trial of a criminal case.
  - (2) A motion shall be made in the same manner as provided in the trial of criminal cases, and the court, in ruling on the motion, has the same authority provided in the trial of criminal cases.
- (l) Nature of prosecution. --
- (1) The State's Attorney for any county may prosecute a Code violation under § 10-132 of this part in the same manner as prosecution of a violation of the criminal laws of the State.
  - (2) In a Code violation case under § 10-132 of this part, the State's Attorney may:
    - (i) enter a nolle prosequi in or place the case on the stet docket; and

- (ii) exercise authority in the same manner as prescribed by law for violation of the criminal laws of the State.

#### Baltimore County Laws

13-12-103. – Distribution to persons under the age of 21.

- (a) Owner. An owner may not distribute to a person under the age of 21:
  - (1) Any tobacco product;
  - (2) Tobacco paraphernalia; or
  - (3) A coupon redeemable for a tobacco product.
- (b) Other person. A person other than an owner may not:
  - (1) Buy for or sell any tobacco product to a person under the age of 21; or
  - (2) Distribute tobacco paraphernalia to a person under the age of 21.
- (c) No violation. A violation of this section has not occurred if the owner or other distributor:
  - (1) Examined the purchaser's or recipient's driver's license or another valid identification issued by a government entity; and
  - (2) That license or other identification positively identified the purchaser or recipient of a tobacco product as at least 21 years of age or as at least 18 years of age and an active duty member of the military.

17-1-103. – Public consumption of alcoholic beverages.

- (a) Prohibition. Except as provided in subsection (b) of this section, a person may not possess an alcoholic beverage in an open container:
  - (1) On public property, property used by the public, or a highway; or
  - (2) In a vehicle that is located on public property, property used by the public, or a highway.
- (b) Exceptions. This section does not apply to:
  - (1) Possession of alcoholic beverages in open containers in any public place where it is expressly permitted by state or county law or regulation; and
  - (2) Consumption of alcoholic beverages by passengers:
    - (i) In the living quarters of a motor home equipped with a toilet and central heating; or
    - (ii) On a chartered bus in transit if the owner or operator has consented to the consumption of the alcoholic beverages.
- (c) Penalty. A person who violates this section is guilty of a misdemeanor.

17-1-118. – Synthetic cannabinoid.

- (a) Definitions.
  - (1) As used in this section, the following words have the meanings indicated.
  - (2) "Distribute" means to:
    - (i) Give, sell, deliver, dispense, or issue; or
    - (ii) Offer to give, sell, deliver, dispense, or issue; or
    - (iii) Cause or hire any person to give, sell, deliver, dispense, or issue or offer to give, sell, deliver, dispense, or issue.
  - (3) "Synthetic cannabinoid" means a material, substance, compound, mixture or preparation in any form that would reasonably indicate under all circumstances to

be synthetic marijuana, including but not limited to products known as Spice, K2, Scooby Snax, Potpourri, or any other name.

(4) "Synthetic marijuana" means a psychoactive substance or compound created with man-made synthetic chemicals that, when consumed or ingested, mimics the intoxicating effects of marijuana THC, the psychoactive ingredient in the naturally grown marijuana plant.

(b) Scope . This section does not apply to an accredited academic or medical institution or research facility, or any authorized agent of such facilities, that conducts research on a synthetic cannabinoid.

(c) Prohibition.

(1) A person may not purchase, use or possess a synthetic cannabinoid.

(2) A person may not distribute a substance:

(i) That the person represents is any form of synthetic cannabinoid;

(ii) That the person intends for use or distribution as a synthetic cannabinoid; or

(iii) Under circumstances that one reasonably should know that the substance will be used or distributed for use as a synthetic cannabinoid.

(d) Penalty .

(1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 60 days or both.

(2) Property seized in connection with enforcement of this section is subject to forfeiture in accordance with the drug asset forfeiture statute set forth in §§ 12-101 - 12-505 of the Criminal Procedure Article of the Annotated Code of Maryland.

## Harford County Laws

### 100-2 Prohibitions

It is unlawful for any person, firm or corporation:

A. To offer for sale, display or distribute any drug paraphernalia.

B. To possess drug paraphernalia under circumstances which reasonably indicate an intent to offer for sale, display or distribute said drug paraphernalia for the purpose of facilitating the illegal possession, distribution or use of marijuana, hashish, hashish oil, cocaine, heroin or the residue thereof.

### 100-3 Violations and Penalties

A. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than ten dollars (\$10.) nor more than five hundred dollars (\$500.) or be imprisoned not less than ten (10) days nor more than three (3) months, or be both fined and imprisoned.

B. Each day during which a violation of this chapter continues shall be deemed a separate offense.

C. Any paraphernalia prohibited by this chapter is subject to forfeiture as provided by § 297 of Article 27 of the Annotated Code of Maryland, as amended.

Marijuana <https://www.marijuanaandthelaw.com/state-laws/maryland/>

## APPENDIX B:

### TOWSON UNIVERSITY POLICY ON SUBSTANCE ABUSE FOR FACULTY, STAFF AND STUDENTS

<https://www.towson.edu/about/administration/policies/07-01-10-policy-substance-abuse-faculty-staff-students.html>

The use of controlled substances and the abuse of alcohol present a serious threat to individual health and everyone's safety. Moreover, the use of illegal drugs and the abuse of alcohol can result in less than complete reliability, stability, and good judgment, which is inconsistent with the standards set for the faculty, staff, and students of Towson University ("University").

Towson University strives to maintain a workplace free from the illegal manufacture, use, distribution, or possession of controlled substances ("Controlled Dangerous Substance Violations"). Controlled Dangerous Substance Violations are considered violations of Towson University's Code of Student Conduct, the faculty contract, and the terms of employment of regular and contingent (exempt/nonexempt) staff. Faculty, students, and employees who commit Controlled Dangerous Substance Violations are subject to discipline, including mandatory counseling, suspension, or dismissal from the University. Persons who commit Controlled Dangerous Substance Violations are also subject to criminal prosecution.

Alcohol abuse is a form of substance abuse. Persons who consume alcohol on the University campus are responsible to civil and University authorities for compliance with State and local laws. It is a violation of Maryland law for persons under 21 to purchase, possess, or consume alcohol. The following acts are also unlawful: to knowingly and willfully misrepresent one's age to obtain alcohol; to purchase alcohol for a minor; and to possess open containers of alcohol in a public place. Violations of the laws relating to alcohol use will be strictly enforced.

Specific procedures for reporting drug and/or alcohol use by students, and related penalties and procedures are part of the Towson University Student Code of Conduct. Employee disciplinary measures and procedures for violations of this policy are part of the Faculty Handbook, the Part-Time Faculty Handbook, and applicable personnel policies.

In addition to this policy, University employees, including student employees, are subject to the Maryland Governor's Executive Order 01.01.1991.16 which is attached to this policy and incorporated by reference.

In accordance with federal law, the University's substance abuse policy will be distributed annually to all students and employees.

## APPENDIX C:

### STATE OF MARYLAND SUBSTANCE ABUSE POLICY FOR STATE EMPLOYEES

The University System of Maryland, as an employer, strives to maintain a campus free from the illegal use, possession, or distribution of controlled substances (as defined pursuant to Controlled Substances Act 21, U.S.C. Sections 801, et. seq.). Unlawful manufacture, distribution, dispensation, possession or use of controlled substances by members of the university community is prohibited under university policy.

In addition to any legal penalties under federal and state law, employees found to be in violation of this policy or the Maryland Governor's Executive Order on Substance Abuse, 01.01.1991.16, may be subject to corrective action under applicable university personnel policies. The university supports programs aimed at the prevention of substance abuse by university employees. Employees are encouraged to seek assistance for substance-dependency problems. Employee-assistance counseling and leaves of absence to attend rehabilitation programs are appropriate means of dealing with these problems.

The State of Maryland substance abuse policy was enacted on April 1, 1991. It prohibits state employees from abusing alcohol or drugs, committing a controlled dangerous substance offense, and committing an alcohol driving offense; prohibits appointing authorities from hiring anyone whom it knows currently abuses drugs or alcohol; and encourages employees experiencing substance abuse problems to seek assistance through the employer, the employer's employee assistance program, or a certified rehabilitation program. The policy also provides specific direction on alcohol and drug abuse.

#### Alcohol Abuse

- Working under the influence of alcohol is a violation of the policy and shall subject the employee to disciplinary action.
- An employee charged with an alcohol driving offense must report a finding of guilty, an acceptance of a plea of nolo contendere, or a probation before judgment to the employee's appointing authority within 5 work days.
- An employee shall be suspended for 15 days and required to successfully participate in an alcohol treatment program designated by an employee assistance program the first time the employee is convicted of an at-the-workplace alcohol driving offense; or found under the influence of alcohol while at-the-workplace.
- An employee convicted of an off-the-workplace alcohol driving offense, and a non-sensitive employee convicted of any alcohol driving offense shall on the first conviction be referred to an employee assistance program, and in addition, be subject to any other appropriate disciplinary actions; on the second conviction, at a minimum, be suspended for at least 5 days, be referred to an employee assistance program, be required to participate successfully

in a treatment program, and in addition, be subject to any other appropriate disciplinary actions, up to and including termination; and on the third conviction, be terminated.

#### Drug Abuse

- Working under the influence of a controlled dangerous substance, or the inappropriate influence of prescription drugs or over-the-counter drugs, is a violation of the policy and shall subject the employee to disciplinary action.
- An employee charged with a controlled dangerous substance offense shall report a finding of guilty, an acceptance of a plea of nolo contendere, or a probation before judgment to the appointing authority within 5 work days.
- An employee convicted of any controlled dangerous substance offense shall be terminated.
- An employee who tests positive for a controlled dangerous substance as a result of a random drug test shall be suspended for 15 work days and be required to successfully participate in a drug treatment program designated by an employee assistance program, as provided for by the appointing authority's drug testing protocol.
- An employee who abuses a legally prescribed drug or an over-the-counter drug shall, on the first offense, be suspended for 5 work days and be required to participate successfully in a drug treatment program designated by an employee assistance program.

Any employee otherwise in violation of the executive order shall be subject to appropriate progressive disciplinary actions up to and including termination.

When an appointing authority learns or, based on observation or reliable information, suspects that an employee has committed a controlled dangerous substance or alcohol offense at the workplace, the appointing authority shall refer the matter to an appropriate law enforcement authority for further investigation and prosecution. All employees shall cooperate fully with law enforcement authorities in the investigation and prosecution of suspected criminal violations.

## **APPENDIX D:**

### **TOWSON UNIVERSITY: REPORTING SUBSTANCE ABUSE**

Upon observing suspected controlled dangerous substance violations or the illegal use of alcohol, faculty and staff, and/or students shall proceed in the following manner:

1. Report the activity to the Towson University Police Department (TUPD) immediately. Also notify your supervisor. Students observing controlled dangerous substance violations and/or illegal alcohol activity on campus or in the residence halls should notify the TUPD immediately. If the violation occurs in a residence hall, students should notify a housing staff member as well as the TUPD.
2. Use sound judgment when approaching individuals suspected of illegal drug or alcohol use. It is preferable to leave drugs or alcohol in their original location until the authorities take action.
3. The university police will determine if state or federal laws have been violated. University employees should not become involved in mediating any situation involving illegal drug or alcohol use.

### **TOWSON UNIVERSITY: PENALTIES FOR SUBSTANCE ABUSE**

Faculty & Staff: The university strongly encourages the use of drug and/or alcohol rehabilitation programs as an effective measure in creating a drug-free workplace program. However, penalties may be implemented (in consultation with Human Resources' Manager for Employer-Employee Relations) up to and including reprimand, suspension, mandatory counseling, mandatory participation in a drug and/or alcohol rehabilitation program and/or dismissal. Appropriate university personnel procedures shall be used for each classification of employee.

Students: In addition to federal and state law, and the policies of the University System of Maryland, students shall be governed by the Towson University Code of Student Conduct. Students are subject to discipline if they are found responsible for controlled dangerous substance violations under the Code of Student Conduct. Various penalties may be imposed depending on the violations. Individuals are encouraged to use voluntary rehabilitation programs and may be required to receive mandatory counseling and treatment. If a student is suspected to have committed controlled dangerous substance violations or to have used alcohol in a manner contrary to university policies, the student will be subject to disciplinary action as well as possible arrest and criminal prosecution.

Students suspected of controlled dangerous substance violations will be referred to the Director of Student Conduct and Civility Education in accordance with the Towson University Code of Student Conduct. Disciplinary proceedings may proceed whether or not criminal charges related to the same incident have been resolved. The university encourages voluntary counseling and may require participation in an approved treatment program.

The safety of the university community is the university's primary concern. Therefore, a student who reports sexual misconduct to the university or to law enforcement, or who participates in a sexual misconduct matter as a witness will not be charged by the university with a violation of university policy for being under the influence of alcohol or drugs (except for any mandatory intervention for substance abuse) if the university determines that (1) the violation occurred

during or near the time of the alleged sexual misconduct; (2) the student made the report of sexual misconduct, or is participating in an investigation as a witness, in good faith; and (3) the violation was not an act that was reasonably likely to place the health or safety of another individual at risk.

Financial Aid Penalties for Drug Convictions: Federal financial aid regulations suspend federal aid eligibility for students who are convicted under federal or state laws for the sale or possession of illegal drugs if the offense(s) occurred during a period of enrollment for which the student was receiving Federal (Title IV) financial aid (grants, loans, or work-study).

1. Students who are convicted after they apply for aid must notify the TU Financial Aid Office at [finaid@towson.edu](mailto:finaid@towson.edu) no later than five days after conviction.
2. For more information, call the Federal Student Aid Information Center at 1-800-4-FED-AID or read the Question 23 Student Aid Eligibility Worksheet.

**APPENDIX E: Event Showcase**

Trick or Treat Halloween Party Ad October 2021



**QUEER WELLNESS WEEK**

THURSDAY, OCTOBER 29TH @ 7P.M. VIA ZOOM

*Virtual Halloween Party*

2 lucky people with the best costume will win a Sony Mini Bluetooth Speaker



Halloween Games, Spooky Trivia, Costume Contests, and more!

**TU TOWSON UNIVERSITY**

Yappy Hour Ad for Spring 2021

INTRODUCING

# Yappy Hour

ALL  
PETS  
WELCOME



All members of the TU community are welcome to unwind & de-stress during yappy hour.

Bring your pets if you have them or join in for some furry friend connection.

*First Thursday of every month  
4PM  
Begins Feb. 4th*

Link to access on  
Involved@TU or email  
atod@towson.edu

**TU**  
TOWSON  
UNIVERSITY

Alcohol, Tobacco &  
Other Drug (ATOD)  
Prevention Center

Par-Tee Smart Spring Break Safety event, March 2022



**PAR-TEE SMART**  
9 HOLE BLACK LIGHT MINI GOLF COURSE

LEARN SAFE SPRING BREAK STRATEGIES

Tuesday March 15th  
4pm-6pm

West Village Commons  
Ballrooms

**TU TOWSON UNIVERSITY** | Alcohol, Tobacco & Other Drugs (ATOD) Prevention Center

*Wellness*  
**CARNIVAL**

**TU**  
TOWSON  
UNIVERSITY

Social Wellness  
Physical Wellness  
Environmental Wellness  
Emotional Wellness  
Intellectual Wellness  
Vocational Wellness  
Spiritual Wellness  
Financial Wellness

**ATOD  
Signature  
Event!**

FREE FOOD | GAMES | PRIZES | KONA ICE  
| MEGA OBSTACLE COURSE | AND MORE!

**May 4, 2022**  
**11 AM - 2 PM**  
**University Union, 3rd Floor Lobby**

The advertisement is a vibrant graphic with a red border and a light blue background. At the top, the word "Wellness" is written in a cursive font, followed by "CARNIVAL" in large, bold, yellow block letters. In the center is a Ferris wheel with ten spokes, each ending in a colored circle representing a wellness domain: Social (red), Physical (teal), Environmental (red), Emotional (teal), Intellectual (red), Vocational (teal), Spiritual (red), and Financial (teal). The center of the wheel features the Towson University logo (TU). To the right of the wheel is a red starburst graphic containing the text "ATOD Signature Event!". At the bottom of the wheel are two red and white striped circus tents. Below the wheel, a dark teal banner contains the event details in white text: "FREE FOOD | GAMES | PRIZES | KONA ICE | MEGA OBSTACLE COURSE | AND MORE!". Below this banner, the date and time "May 4, 2022 11 AM - 2 PM" and the location "University Union, 3rd Floor Lobby" are listed. The entire graphic is framed by a red border with yellow star icons in the corners.

#TUSOBEROCTOBER

Go **SOBER**  
IN OCTOBER

**100%**  
**GUARANTEED**  
**HANGOVER**  
**CURE....**



Sign the Pledge

Challenge yourself to 'go sober' this October and make a difference in the lives of people affected by addiction.



**TU** TOWSON UNIVERSITY | Alcohol, Tobacco & Other Drug (ATOD) Prevention Center