

# University of Montana Drug and Alcohol Abuse Prevention: Policies, Programs, and Resources for Students and Employees

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## Office for Student Success 2018-2020

This information is referenced in UM's 2019 Annual Campus Security and Fire Safety Report, available on [the UMPD website](#).

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## A. Alcohol and Drug Policies and Programs

In compliance with the federal Drug-Free Schools and Communities Act, this page contains the University of Montana policies and applicable laws and penalties related to the use, possession, and distribution of alcohol and other drugs; information about the risks and effects of drug and alcohol use and dependence; and resources to assist students, faculty, and staff who may be having a problem with alcohol or drugs. You are encouraged to read this page in its entirety as each member of the campus community is responsible for complying with University of Montana policy and applicable laws.

### For All Members of the UM Community

The University of Montana's policies on alcohol and other drugs reflect federal and state law and impose sanctions for violations by students, faculty, and staff.

#### Alcoholic Beverages

Except for students age 21 or older who are allowed to consume and possess alcohol in their University apartments or assigned rooms in the residence halls, it is a violation of the UM Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. It is illegal to sell, furnish, or provide alcohol to any person under the age of 21 years of age. The possession of alcohol by anyone under the age of 21 in a public place is illegal. UM alcohol policies are available at <http://www.umt.edu/policies/browse/facilities-security/alcohol>

#### Drugs

UM's campus is designated "drug free." The possession, manufacture, sale, or distribution of any controlled substance is illegal under both state and federal laws.

#### Sanctions

Laws are enforced by UMPD. Violators are subject to potential University disciplinary action, criminal prosecution, fines, and/or imprisonment.

A summary of state and federal drug and alcohol laws and associated penalties, including penalties for impaired driving in Montana, Montana drug-related laws, and federal drug penalties associated with possession of a controlled substance, can be found on the Office for Student Success website and linked as a separate document on the left side of this page.

## For Employees

UM Human Resource Services publishes a Drug-Free Workplace policy and procedure as well as a Drug and Alcohol Testing policy and procedure that are sent to all UM employees annually. In addition, HR provides notice on its website that employees who violate this policy will be subject to disciplinary action in accordance with personnel policy or collective bargaining agreements.

All current and prospective employees are encouraged to review these policies, as well as the University's alcohol policies. All are available at the following links:

UM Faculty and Staff Drug-Free Workplace policy and procedures:  
<http://www.umt.edu/policies/browse/personnel/drug-free-workplace>

UM Faculty and Staff Drug and Alcohol Testing policy and procedures:  
<http://www.umt.edu/policies/browse/personnel/drug-alcohol-testing>

University alcohol policies:  
<http://www.umt.edu/policies/browse/facilities-security/alcohol>

### Online Training Promoting an Alcohol- and Drug-Free Workplace:

Human Resources Services is providing Employee Drug-Free Workplace Education Training about promoting an alcohol- and drug-free workplace. Different accessible versions are available at the [Drug-Free Workplace Education webpage](#) and a link is also provided on the left side of this page. The training includes information about the requirements of the policy, the prevalence of alcohol and drug abuse and its impact on the workplace, how to recognize the link between poor performance and alcohol or drug abuse, the progression of the disease of addiction, and assistance that may be available to employees.

## For Students

UM students must also abide by the University of Montana Student code of conduct, available on the [Community Standards website](#). The Office of Community Standards sends out an annual notice at the beginning of the year to students reminding them of the Student code of conduct and their responsibility as citizens of the community to familiarize themselves with University rules and policies.

Students should also review and understand all of the University alcohol and drug policies, which are referenced in the Student code of conduct and available at <http://www.umt.edu/policies/browse/facilities-security/alcohol>.

The UM Student code of conduct specifically prohibits the following behaviors, Article V, section E:

### E. Alcohol and Drug Offenses:

1. **Tobacco:** Smoking, Vaping, or tobacco use on campus is a violation of the Tobacco Free UM Policy and of this Student Code of Conduct.
2. **Alcohol:** Use, possession, or distribution of intoxicants, including alcohol, in the buildings or on the grounds of the University of Montana except as expressly permitted by law or University policy is prohibited. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty-one (21) years of age.
3. **Drugs:** Use, possession, manufacture, distribution or sale of narcotics or dangerous drugs as defined by city, state or federal laws. This includes mind-altering drugs, designer

drugs or synthetic substances used as a substitute for a controlled substance, except as expressly permitted by law or University policy. This also includes the abuse, distribution, or improper use of prescription drugs.

Students must also abide by all local, state, and federal laws regarding drugs and alcohol as enforced by law enforcement.

### ***Students in University Housing***

In addition to the Student code of conduct, students living in University housing must abide by all rules and policies enforced by the UM Housing Office. The Assistant Director of Student Conduct & Programs for UM Housing is responsible for enforcing and sanctioning drug and alcohol violations in the residence halls and University housing.

UM Housing policies related to the use of alcohol and drugs for students living in traditional residence halls are available at <http://www.umt.edu/housing/rh/policies/default.php>.

UM Housing policies related to the use of alcohol and drugs for students living in apartments at Lewis & Clark Village are available at <http://www.umt.edu/housing/lcv/policies.php>.

UM Housing policies related to the use of alcohol and drugs for students living in apartments at University Villages are available at <http://www.umt.edu/housing/uv/policies-UV/default.php>.

### ***Associated Students of the University of Montana (ASUM) & Recognized Student Groups***

The Associated Students of the University of Montana (ASUM) provides information for students on their website ([http://www.umt.edu/asum/student\\_groups/alcohol\\_drug.php](http://www.umt.edu/asum/student_groups/alcohol_drug.php)). ASUM may take personnel action against any student or ASUM employee who violates the University's drug and alcohol policies, and may also refer individual students to the Office for Community Standards for action under the Student code of conduct. Recognized student groups and student organizations are held accountable for University drug and alcohol policies through ASUM and they may also be held accountable by the Office for Community Standards under the Student code of conduct.

### ***Fraternities and Sororities***

For fraternities and sororities at UM, the possession and consumption of alcoholic beverages at residential houses and any official group functions must conform to policies established by the Board of Regents and UM, the Fraternity and Sorority Mutual Relationship Agreement, and their national chapters, local ordinances, and state and federal laws.

The Mutual Relationship Agreement, and the accompanying Greek Fraternal Organizations judicial process, describe procedures for adjudicating alleged violations of Panhellenic and Interfraternity policies and University policies. It should be noted that the jurisdiction of this process relates to member organizations. As stated in the judicial process, the Office for Community Standards, on behalf of the University, has jurisdiction in cases of alleged misconduct by individual students.

Possible sanctions that can be imposed under the Greek Fraternal Organizations judicial process for any violation, including violations of University and/or Panhellenic and Interfraternity policies, include the following:

- Warning, probation, or reprimand with regard to the status of the organization
- University actions
- Educational sanctions, programs, or workshops (e.g. a drug or alcohol program)
- Revocation of privileges
- Community service
- Monetary fines and/or restitution

The UM Greek Fraternal Organizations judicial process is available at the same link, [https://www.umt.edu/fsi/docs/important-documents/judicial\\_process.pdf](https://www.umt.edu/fsi/docs/important-documents/judicial_process.pdf)

### ***Student Athletes***

All students at the University of Montana are subject to discipline under the University of Montana Student code of conduct for violations of University alcohol and drug policies. Students who are also student-athletes may also be subject to additional or separate sanctions and penalties under the Student-Athlete Conduct Code and/or the Department of Athletics' Drug Education and Testing Program.

**The Student-Athlete Conduct Code** describes policies on misconduct for UM student-athletes, specifically related to their ability to practice and play as a member of a team. In some cases, a student-athlete may experience discipline under the UM Student code of conduct with the Office for Community Standards and the Student-Athlete Conduct Code under the Athletics Department. In other cases, if a violation does not rise to the level of a Student code of conduct violation or fit that jurisdiction, the Athletics Department may take its own action to discipline students based on Athletics Department and/or team rules or policies. The Student-Athlete Conduct Code does not supersede or take the place of a student's accountability under the UM Student code of conduct.

The Student-Athlete Conduct Code describes three categories of possible violations for student-athletes, procedures for adjudicating alleged violations, and a detailed penalty schedule for first offense through fourth offense.

Possible penalties for any violation of the Student-Athlete Conduct Code, including violations of University alcohol policies and/or team or departmental policies or rules relating to use of alcohol or drugs, include the following:

- Mandatory alcohol/drug counseling
- Community service
- Letters of apology
- Behavioral contracts
- Restitution
- Parent/guardian notification
- Suspension from practice activities
- Suspension from team activities
- Suspension from a percentage of scheduled contests
- Dismissal from the team

The Student-Athlete Conduct Code is printed in the Student-Athlete Handbook, which is compiled and distributed yearly to each student-athlete and coach by the UM Athletics Department. The Handbook and the Student-Athlete Conduct Code are available at [https://gogriz.com/sports/2015/3/3/GEN\\_2014010118.aspx](https://gogriz.com/sports/2015/3/3/GEN_2014010118.aspx).

The **Drug Education and Testing Program** of the Athletics Department is available at [https://gogriz.com/sports/2015/3/3/GEN\\_2014010118.aspx](https://gogriz.com/sports/2015/3/3/GEN_2014010118.aspx). The goals of the program are to provide a drug-free environment for student-athletes and to safeguard the health and safety of all athletes and competitors by providing assistance to those who are found to engage in abuse of certain chemical substances. One phase of the program focuses on performance-enhancing drugs. A second phase of the program focuses on student-athletes' use of other kinds of prohibited drugs. Key components of the program include education, counseling, and testing.

Sanctions for violations of the policy are detailed for first, second, and third offenses. Sanctions can include suspension from practice and/or competition, required participation in counseling and drug education at the student's expense, or dismissal from the team, which results in forfeiture of all rights as a student-athlete including termination of all athletics financial assistance.

The Drug Education and Testing Program information is printed in the Student-Athlete Handbook, which is compiled and distributed yearly to each student-athlete and coach by the UM Athletics Department.

## **Disciplinary Actions and Possible Sanctions for Students**

When a student violates the UM Student Code of Conduct, the University may initiate disciplinary action resulting in a sanction. Possible sanctions, depending on the severity of the violation, could include disciplinary warning, disciplinary probation, and/or community service.

Students who violate University policies related to alcohol and/or drugs are also likely to be referred to the Behavioral Health Options Program offered through the Curry Health Center (<http://www.umt.edu/curry-health-center/Counseling/Behavioral-Health-Options.php>), described in more detail below. Repeated violations of the Student Code of Conduct could result in more severe disciplinary sanctions, including suspension or expulsion.

## **Medical Marijuana**

Although Montana state law permits the use of medical marijuana, i.e. use by persons possessing lawfully issued medical marijuana cards, federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession, or cultivation of marijuana for medical purposes is therefore not allowed in University housing or on any other UM property, nor is it allowed at any University-sponsored event or activity off campus.

In the event an illegal alcohol or drug-related incident involving an employee or student occurs, the University will cooperate fully with law enforcement agencies and will determine appropriate internal disciplinary actions. Individuals who violate University policies, city ordinances, and/or state or federal laws are subject to disciplinary action according to the UM Student Code of Conduct, the Fraternity and Sorority Mutual Relationship Agreement, and relevant UM personnel policies. Student sanctions under the Student Code of Conduct may include disciplinary warning, probation, suspension, expulsion, restitution, and/or community service, as well as required attendance at educational programs. Employees who violate policies will be subject to disciplinary action in accordance with personnel policies, collective bargaining agreements, and local, state, or federal laws. Employees could be subject to termination and/or criminal prosecution.

The University's medical marijuana policy is available at <http://www.umt.edu/policies/browse/miscellaneous/medical-marijuana>

## **Tobacco Free UM**

UM also works to provide a safe and healthy environment for its employees, students, and visitors with regard to exposure to secondhand smoke. In light of the U.S. Surgeon General's findings that exposure to secondhand tobacco smoke and use of tobacco cause significant health hazards, UM became a tobacco-free environment 2011. Students found in violation of the tobacco free policy may be referred to the Office for Community Standards for disciplinary action. Employees found in violation of the tobacco free policy may be referred to Human Resources for appropriate follow-up. The Tobacco Free UM policy is available at <http://www.umt.edu/policies/browse/facilities-security/tobacco-free-um>

## **B. Drug and Alcohol Abuse Prevention and Education Programs**

### **Programs for Students**

#### **Mandatory Online Tutorial for All New Students – AlcoholEdu**

AlcoholEdu is an online program that provides information on the use and effects of alcohol as well as prevention and risk-reduction tips. There are two parts. Part 1 takes approximately 1.5-2 hours to complete, and you may take it in multiple sittings. Your registration hold will lift after completing Part 1. You will receive an email prompting you to take Part 2 one week after you complete Part 1.

All incoming students at UM are required to take AlcoholEdu, including incoming undergraduate students, transfer students, and graduate students. Failure to complete AlcoholEdu is tied to a registration hold for the following semester.

A comprehensive website providing information about all four all of UM's mandatory prevention education programs – AlcoholEdu, Transit (financial literacy), Sexual Assault Prevention for Undergraduates, Bystander Training (in-person sexual assault prevention), and Sexual Assault Prevention for Adult Learners – is available at <http://www.umt.edu/student-affairs/programs/>

### **Mandatory Online Tutorial for Continuing Students and Adult Learners - Sexual Assault Prevention for Adult Learners**

Sexual Assault Prevention for Adult Learners is an online program designed to educate students about sexual assault, risks posed by drugs and alcohol, healthy relationships, consent, and bystander intervention. All incoming students are required to complete the Sexual Assault Prevention for Adult Learners. There are two parts, and you can take them in multiple sittings. Your registration hold will lift after completing Part 1. You will receive an email prompting you to take Part 2 one week after you complete Part 1. Failure to complete the Sexual Assault Prevention for Adult Learners is tied to a registration hold for the following semester.

### **Mandatory In-Person Training for All New Students - Bystander Training**

All new students, including freshmen, new transfer students, new graduate students, and new law students must attend a required in-person bystander training session. This training offers education about sexual violence, teaches students how to look out for one another, and empowers students to interrupt unsafe situations; the training also provides resources specific to Missoula. There is no need to register to attend the training. Once the training is complete, students may register for classes. \*Should UM be in remote learning, an alternative for this requirement will be adapted.

### **Orientation “Slice of Life” Skits and Follow-Up Discussions**

The UM Advocates present skits that address topics including alcohol and sexual assault, followed by providing campus resources at fall orientation to new students. The skits are followed by separate panel presentations for parents (facilitated by UM staff and administrators) and students (facilitated by UM Advocates) to process the information presented, answer questions, and ensure that new students and parents have complete and current information about campus resources.

### **Behavioral Health Options Program**

The Behavioral Health Options Program, offered through the Curry Health Center, works with students in both 1:1 and group settings to address concerning behaviors, especially related to drug and/or alcohol use, that are making it difficult for them to reach their goals, or behaviors that are negatively affecting those around them. The mission of the program is to educate and motivate students to proactively and positively address these high-risk behaviors. The program offers individual sessions and group programs led by trained interns or professionals that are designed to target risky substance use behavior. Staff also offer formal behavioral assessments. For more information visit <http://www.umt.edu/curry-health-center/Counseling/Behavioral-Health-Options.php>

### **Resident Assistant (RA) Training – Information about Behavioral Health Options Program**

During RA training each fall and spring, staff members from the Curry Health Center provide training for all Resident Assistants about the Behavioral Health Options Program offered through Curry Health,, which provides 1:1 and group settings for students to address concerning behaviors, especially related to drug and/or alcohol use, that are making it difficult for them to reach their goals, or behaviors that are negatively affecting those around them. The program is also used for discipline referral, through the UM Housing Office or the Office for Community Standards, for students who violate University policies or local laws related to drug or alcohol use.

### **Resident Assistant (RA) Training – General Information about Alcohol, Drugs & Campus Resources**

During RA training each fall and spring, professional staff members from the Curry Health Center and UM Housing also provide current and timely information to RAs about drug and alcohol use on a college campus,

including current trends in use and abuse, prevention education strategies, and detailed information about campus resources for student referrals.

### **Resident Assistant (RA) Training – Behind Closed Doors**

RA training each fall and spring before the new semester begins culminates in a role-play activity in which new RAs are required to respond to various scenarios that they will likely encounter with residence hall students. Scenarios include topics such as drug or alcohol use, partying, unhealthy choices, peer pressure, and risks associated with unhealthy choices related alcohol or drug use. The role-plays are facilitated by trained professional staff from UM Housing and the Curry Health Center. Information about the campus discipline system in response to violations of University alcohol/drug policies, and information about campus resources and referrals for students struggling with drug or alcohol use or abuse is emphasized.

### **Step Up – Residence Life Program**

Step up is a program presented by the UM Housing Office each fall to all incoming residence hall students. The program is grounded in bystander intervention philosophy and presents information about a wide array of situations where students are encouraged to stand up and say something when they see anything that is not right. Scenarios cover such topics as alcohol use, drug use, sexual assault, and mental health.

### **Peers Reaching Out (PRO) Programs on Alcohol, Drugs, Healthy Sexuality, and Sexual Violence**

Peers Reaching Out (PROs) are peer educators through the Curry Health Center who present numerous programs to student audiences throughout the year on topics that impact student well-being, including alcohol and drugs, stress, nutrition, time management, healthy sexuality, and mental health. PROs present programs to residence hall audiences and University classes. They also present a Wellness Series for the campus community. Students become PROs by taking a 3-credit class, "Introduction to Peer Health Education," that addresses health promotion and behavior change using a peer-based model.

### **Residence Hall Floor Talks**

Resident Assistants offer floor talks at least once each semester for all students living in the residence halls. RA presenters provide policy information to students about the use of alcohol and drugs, with an emphasis on consequences associated with violations of University policy or local laws that can result in disciplinary consequences under the UM Student Code of Conduct and/or citations through UMPD or the Missoula Police Department. Resident Assistants, beginning Fall of 2018, have been implementing a new programming curriculum that allows for more floor gatherings, and topics around alcohol and drugs can be addressed along with academics, tutoring help, and other college issues.

### **DUI Prevention Education**

UMPD officers, Resident Assistants and Curry Wellness share in programs designed to teach about the effects of alcohol on judgment and driving, alcohol tolerance, and myths versus realities in alcohol use and driving. Students also have opportunities to participate in simulation DUI field sobriety tests; they may try different goggles representing different levels of intoxication to learn first-hand about the effects of alcohol impairment. UMPD offers these programs to students upon request.

### **Choose Your Ride – Drinking and Driving**

This program is presented by Curry Wellness and is designed to teach students about all the possible "ride" options that might result from choices related to drinking and driving. Police cars, ambulances, taxis, the UM U-Dash bus, and cars are all presented to educate students about drinking and driving. Program presenters also provide resources about local designated-driver programs.

### **Drug Education and Testing Program for Student-Athletes**

The Athletics Department provides a comprehensive drug education and testing program for student-athletes. The goals of the program are to provide a drug-free environment for student-athletes and to safeguard the health and safety of all athletes and competitors by providing assistance to those who are found to engage in abuse of certain chemical substances. One phase of the program focuses on performance-enhancing drugs. A second phase of the program focuses on student-athletes' use of other kinds of prohibited drugs. Key components of the program include education, counseling, and testing.

Detailed information about the Drug Education and Testing Program and policy is available at [http://gogriz.com/documents/2015/12/10/Drug\\_testing\\_policy\\_May\\_2014.pdf?id=2478](http://gogriz.com/documents/2015/12/10/Drug_testing_policy_May_2014.pdf?id=2478).

### **Fresh Air Crew**

Peer educators through Curry Wellness also participate in outreach to raise awareness about smoking and tobacco use in support of the Tobacco Free UM campus policy. Students from the Fresh Air Crew may talk with people who are violating the Tobacco Free policy and refer them for appropriate follow-up under the policy.

### **Social Media Outreach and *Health Nut* Newsletter**

UM has worked over the years to develop and deliver prevention education and healthy lifestyle information through Curry Wellness that is current, reflects national best practices, and meets the needs of students. Social media campaigns are strategically planned and created to address not only drug and alcohol use and abuse, but also topics that impact student success such as stress management, sex, and healthy relationships. Curry Wellness uses Facebook, Instagram, Pinterest, YouTube, and Twitter to disseminate messages to students, and also offers an online blog called Health Nut. All social media is created by students, for students, and the campaigns have been very effective in reaching more followers than previous in-person presentations.

### **Alcohol Screenings Online**

Curry Health Center provides an anonymous and free mental health and substance abuse online screening (available at <http://www.umt.edu/curry-health-center/Counseling/default.php>) for students, faculty, and staff. Participants are offered a variety of screening options including for alcohol, depression, anxiety, PTSD, eating disorders, and bipolar disorder. (For students, employees, and community members).

### **Prescription Medication Disposal Dropbox**

Prescription Medication Disposal Dropbox

The Health Services Pharmacy maintains and manages a medication disposal drop box to help prevent unused prescription drugs from getting into the wrong hands. Numerous people from throughout the campus and local Missoula community have taken advantage of this free program. (For students, employees, and community members).

## **Programs for Employees**

### **Information at New Faculty Orientation: University Drug, Alcohol and Tobacco Policies and Procedures**

At New Employee Welcome there is information about mandatory trainings and recommended trainings, which are outlined below. All new employees are provided information at New Employee Orientation about the Tobacco Free UM policy and tobacco cessation resources.

### **Online Training Promoting an Alcohol- and Drug-Free Workplace**

Human Resource Services provides Employee Drug-Free Workplace Education training about promoting an alcohol- and drug-free workplace. Accessible versions are available at the [Drug-Free Workplace Education webpage](#) and a link is also provided on the left side of this page. The training includes information about the requirements of the policy, the prevalence of alcohol and drug abuse and its impact on the workplace, how to recognize the link between poor performance and alcohol or drug abuse, the progression of the disease of addiction, and assistance that may be available to employees. This on-line training promotes an alcohol- and drug-free workplace and communicates the details of UM's Drug-free Workplace policy and procedure and UM's Drug and Alcohol Testing policy and procedure as well as the negative impacts of drug and alcohol abuse. Employee Drug-free Workplace education training is housed on the Office of Legal Counsel's [Faculty, Staff and Student Training webpage](#).

## **Four Free Counseling Sessions**

Montana University System (MUS) Benefits Plan participants are eligible for four free, confidential sessions with an in-network counselor for any issues that may be causing stress or disruption. The four sessions are available each plan year and can be used for any issue including family, personal, work, health, or other issues. To locate an in-network counselor, employees are instructed to contact their medical plan administrator directly or through their websites located on the last page of the MUS Choices Annual Benefits Enrollment Workbook at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

## **Inpatient & Outpatient Chemical Dependency Treatment**

Montana University System (MUS) Benefits Plan participants are eligible for inpatient and outpatient benefits for chemical dependency. More information is in the MUS Choices Annual Benefits Enrollment Workbook at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

## **MUS Wellness Incentive Program**

As part of a wellness incentive program, a challenge is issued to participating employees to curb their drinking over the holidays. Points are provided towards rewards for accomplishing that goal. Possible rewards could include a number of monetary rewards, such as gift cards. More information is in the MUS Choices Annual Benefits Enrollment Workbook, at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

## **Take Control Program**

Take Control is a program offered to Montana University System (MUS) Benefits Plan participants. It provides additional support and counseling for tobacco cessation. More information is in the MUS Choices Annual Benefits Enrollment Workbook, at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

## **Adult Routine Exam**

Montana University System (MUS) Benefits Plan adult participants, age 18-65+, are eligible for one routine exam per benefit plan year at no cost with an in-network provider. Exams include screening/counseling and/or risk factor reduction interventions for depression, obesity, tobacco use/abuse and/or alcohol use/abuse. Additionally, benefits eligible employees also have access to free blood/chemistry panels twice a year at spring and fall WellCheck events. More information is in the MUS Choices Annual Benefits Enrollment Workbook, at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

**Employee Assistance Program** – The Montana University System provides an Employee Assistance Program (EAP). This program helps employees privately work through challenges that may interfere with work, family and life in general. This benefit is available to all MUS employees and household members. Also provided is 24-hour crisis help, in-person counseling, and access to online tools and educational resources, such as: substance abuse monitoring, webinars, self-directed courses, stress tools, grief support, financial and legal resources, retirement planning, college planning, and much more. Click on [EAP and Work-Life Services Overview](#). Visit [IBH Solutions.com](#) for more detailed information. Online Training Promoting an Alcohol-and Drug-Free Workplace

## **UM Participation in Community Outreach Programs**

### **Missoula DUI Task Force**

University staff members from Curry Wellness and other UM faculty participate regularly in the Missoula DUI Task Force. UM faculty and staff on the task force work alongside community members, including owners of breweries, distilleries and bars. The DUI Task Force works collaboratively to plan and implement strategies to reduce drinking and driving in Missoula County.

### **Additional Community and State Task Forces**

Staff from the Curry Health Center also participate on several other committees and task forces in Missoula. These included the Missoula Underage Substance Abuse Prevention Group and the Prescription Drug Abuse Task Force. Curry Wellness also participates in a statewide task force for the Montana Collegiate Tobacco Prevention Initiative, which is a group of professionals from colleges and universities across the state who meet to talk about issues associated with tobacco.

## **C. Drug and Alcohol Resources for Students and Employees**

### **Drug and Alcohol Resources for Students**

#### **Individual and Group Counseling, Counseling Services at the Curry Health Center**

Counseling Services at the Curry Health Center provides both individual and group counseling for any student struggling with personal issues associated with drug and/or alcohol use or abuse. There are three licensed addictions counselors on staff with drug and alcohol use as a specialty; all other providers are trained in addictions and co-occurring disorders. Counselors ask about drug or alcohol issues and will also screen for tobacco cessation if that might be an issue. There is also a sobriety group. Counselors make referrals to appropriate providers off-campus, including to local and community mutual help support groups such as Alcoholics Anonymous and Narcotics Anonymous.

#### **Behavioral Health Options Program**

The Behavioral Health Options Program, offered through the Curry Health Center, works with students in both 1:1 and group settings to address concerning behaviors, especially related to drug and/or alcohol use, that are making it difficult for them to reach their goals, or behaviors that are negatively affecting those around them. The mission of the program is to educate and motivate students to proactively and positively address these high-risk behaviors. The program offers individual sessions and group programs led by trained interns or professionals that are designed to target risky substance use behavior. Staff also offer formal behavioral assessments. For more information visit <http://www.umt.edu/curry-health-center/Counseling/Behavioral-Health-Options.php>

#### **Student Health Fair & Health Screenings**

Curry Wellness sponsors a Student Health Fair that is held in November of every year in the University Center. The purpose of the fair is to provide information and resources about alcohol and drug use and abuse, tobacco, healthy eating, healthy sexuality, exercise, and fitness. Health screenings are also offered to students.

#### **Tobacco Use and Cessation Programs**

Curry Wellness offers several resources for students for tobacco cessation. These include Quit Kits, which are available to all students who are trying to quit chew or smoke tobacco, 1:1 consultations with staff, and referrals to the Montana Quit Line for free or reduced-fee tobacco cessation products.

#### **Health Coaching at Curry Health Center**

Curry Health Center offers students six weeks of individual, hour-long health coaching sessions with trained undergraduate peer coaches, many of whom are Community Health majors. Students can self-refer or be referred from the medical clinic, Counseling Services, or Disability Services for Students. The sessions are self-directed, meaning the client provides input on what he or she wants to work on. They are designed to address any health-related behaviors that students want to improve or reduce. Popular topics include healthy lifestyle, stress management, time management, healthy sleep, unhealthy drug or alcohol use, and eating well. Initial results from program evaluations indicate very positive outcomes for students.

## Drug and Alcohol Resources for Employees

### Online Training Promoting an Alcohol- and Drug-Free Workplace:

Human Resources Services is providing Employee Drug-Free Workplace Education Training about promoting an alcohol- and drug-free workplace. Different accessible versions are available at the [Drug-Free Workplace Education webpage](#) and a link is also provided on the left side of this page. The training includes information about the requirements of the policy, the prevalence of alcohol and drug abuse and its impact on the workplace, how to recognize the link between poor performance and alcohol or drug abuse, the progression of the disease of addiction, and assistance that may be available to employees. This on-line training promotes an alcohol- and drug-free workplace and communicates the details of UM's Drug-free Workplace policy and procedure and UM's Drug and Alcohol Testing policy and procedure as well as the negative impacts of drug and alcohol abuse. Employee Drug-free Workplace education/training is housed on UM's website under the Office of Legal Counsel's webpage at the Faculty, Staff and Student Training page at <http://www.umt.edu/training/>.

### Four Free Counseling Sessions

Montana University System (MUS) Benefits Plan participants are eligible for four free, confidential sessions with an in-network counselor for any issues that may be causing stress or disruption. The four sessions are available each plan year and can be used for any issue including family, personal, work, health, or other issues. To locate an in-network counselor, employees are instructed to contact their medical plan administrator directly or through their websites located on the last page of the MUS Choices Annual Benefits Enrollment Workbook at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

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### MUS Wellness Incentive Program

As part of a wellness incentive program, a challenge is issued to participating employees to curb their drinking over the holidays. Points are provided towards rewards for accomplishing that goal. Possible rewards could include a Fitbit Health Tracker, gift cards, or monetary contributions to a tax-advantaged account. More information is in the MUS Choices Annual Benefits Enrollment Workbook, at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

### Take Control Program

Take Control is a program offered to Montana University System (MUS) Benefits Plan participants. It provides additional support and counseling for tobacco cessation. More information is in the MUS Choices Annual Benefits Enrollment Workbook, at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

### Adult Routine Exam

Montana University System (MUS) Benefits Plan adult participants, age 18-65+, are eligible for one routine exam per benefit plan year at no cost with an in-network provider. Exams include screening/counseling and/or risk factor reduction interventions for depression, obesity, tobacco use/abuse and/or alcohol use/abuse. More information is in the MUS Choices Annual Benefits Enrollment Workbook, at the following link: [CHOICES Annual Benefits Enrollment Workbook](#).

**Employee Assistance Program** – The Montana University System provides an Employee Assistance Program (EAP). This program helps employees privately work through challenges that may interfere with work, family and life in general. This benefit is available to all MUS employees and household members. Also provided is 24-hour crisis help, in-person counseling, and access to online tools and educational resources, such as: substance abuse monitoring, webinars, self-directed courses, stress tools, grief support, financial and legal resources, retirement planning, college planning, and much more. Click on [EAP and Work-Life Services Overview](#). Visit [IBH Solutions.com](http://IBH Solutions.com) for more detailed information. Online Training Promoting an Alcohol-and Drug-Free Workplace

## **D. Health Effects of Alcohol and Other Drugs**

The use and abuse of drugs and alcohol carry dangerous physical, emotional and psychological consequences including dependence, impaired judgment and coordination, increased aggression and violence, memory and speech problems, feelings of panic, confusion, paranoia and loss of control, permanent damage to vital organs, and death. Please read below for some of the major effects of drug and alcohol use and refer to the resources in Section C for more information.

### **Alcohol**

- Impairs judgment and coordination
- Hinders ability to learn and remember information
- Increases aggression and abusive acts
- High doses causes dependence, respiratory depression or death
- Withdrawal causes anxiety, nausea, hallucinations and convulsions
- Damages vital organs, such as the liver, permanently
- May lead to fetal alcohol syndrome when consumed by pregnant women

### **Cannabis (Marijuana)**

- Reduces short-term memory and comprehension
- Produces paranoia and psychosis
- Damages lungs and respiratory system with inhalation of carcinogenic smoke
- Alters sense of time
- Dangerously increases heart rate

### **Hallucinogens (PCP, LSD)**

- Cause sense of distance and space estrangement, illusions and hallucinations
- Create persistent memory problems and speech difficulties
- Induce violent episodes that result in self-inflicted injuries
- Produce negative psychological effects such as panic, confusion, suspicion, anxiety and loss of control
- Result in side effects such as dizziness, weakness, tremor nausea and drowsiness

### **Narcotics (Codeine, morphine, opium, heroin)**

- Produce feelings of euphoria followed by drowsiness, nausea and vomiting
- Create constricted pupils, watery eyes and itching
- Can be deadly in overdose, causing shallow breathing, clammy skin, convulsions and death
- Promote the transmission of AIDS, endocarditis and hepatitis through use of unsterilized syringes

### **Cocaine/Crack**

- Cause constant stuffy, runny nose and possible perforated nasal septum
- Produce dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature, followed by depression
- Extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions and death

### **Designer Drugs (Ecstasy)**

- Hundreds of times stronger than the drugs they're designed to imitate
- Cause symptoms similar to Parkinson's disease including tremors, drooling, impaired speech
- Can cause brain damage with as little as one dose

### Stimulants (Speed, crystal meth, Ritalin)

- Produce elevated blood pressure and heart rates, decreased appetite, perspiration, headache, blurred vision, dizziness, sleeplessness and anxiety
- Cause physical collapse in high doses
- Can result in amphetamine psychosis in long-term users, which includes hallucinations, delusions and paranoia

### Inhalants (Whippets, laughing gas, buzz bombs)

- Are mixtures of volatile substances, which makes it difficult to be specific about effects
- Can cause nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination, loss of appetite and involuntary passing of urine and feces
- May result in hepatitis, brain damage, nervous system damage, weight loss, fatigue, electrolyte imbalance and muscle weakness with long-term use

### Depressants (Downers, Valium, Quaaludes)

- Have similar effects to alcohol
- Cause calmness in small amounts, slurred speech and staggering gait in large doses
- Can cause dependence with serious withdrawal symptoms such as restlessness, insomnia, convulsions and death

## E. Standards of conduct and legal sanctions under local, state and federal laws

### University of Montana Drug and Alcohol Abuse and Prevention

Revised: April 2020 from Montana Code Annotated 2019

### Montana Driving Laws: Drugs and Alcohol

<b>Unlawful Act</b>	<b>Law</b>	<b>Statute</b>
<b>Circumstantial "DUI"</b>  <b>Driving Under the Influence of Drugs or Alcohol</b>	<p><b><u>"Under the influence"</u></b> means that as a result of taking into the body alcohol, drugs, or any combination of alcohol and drugs, a person's ability to safely operate a vehicle has been diminished. If a driver's ability to safely operate a vehicle has been diminished by alcohol (regardless of BAC level, even if less than 0.08%) and/or drugs.</p> <p>"Drugs" include:</p> <ul style="list-style-type: none"> <li>• prescription drugs,</li> <li>• marijuana (medical or not),</li> <li>• illicit drugs,</li> <li>• any other illegal drug</li> </ul>	<p><a href="#"><u>MCA§ 61-8-401</u></a></p>
<b>"BAC" DUI (Non-Commercial)</b>  <b>Driving a <u>non-commercial</u> vehicle with excessive blood alcohol concentration</b>	<p>A blood alcohol content "BAC" violation is different from a Circumstantial DUI because the law requires only evidence that the driver's blood alcohol concentration is greater than or equal to .08% (BAC .08%).</p> <p>If the driver is under 21 years of age, blood alcohol concentration need only be greater than or equal to .02% (SAC .02%).</p>	<p><a href="#"><u>MCA§ 61-8-406</u></a> <b>BAC 0.08 or Greater (Non-Commercial)</b></p> <p><a href="#"><u>MCA§ 61-8-410</u></a> <b>Under 21 BAC greater than or equal to 0.02</b></p>
<b>"BAC" DUI (Commercial)</b>  <b>Driving a commercial</b>	<p>If the blood alcohol concentration of the driver of a Commercial Motor Vehicle is greater than or equal to .04%. (BAC 0.04%).</p>	<p><a href="#"><u>MCA § 61-8-806</u></a> <b>Operation of Commercial Vehicle</b></p>

<b>vehicle with excessive alcohol concentration</b>	If you have a CDL, you risk losing your livelihood as there are other severe penalties for those that possess a CDL (even if you drive impaired in your personal vehicle).	<i>with BAC of greater than or equal to 0.04</i>
<b>"Aggravated DUI"</b>	If the driver: <ul style="list-style-type: none"> <li>• Has (BAC 0.16%) or more</li> <li>• Is already subject to ignition interlock restrictions</li> <li>• Has suspended or revoked driver license</li> <li>• Has a prior refusal to provide BAC evidence, or</li> <li>• Has prior DUI/BAC conviction.</li> </ul>	<a href="#"><u>MCA§ 61-8-465</u></a>
<b>"Open Container"</b>	If any person in a vehicle has an open alcoholic beverage container on a public road. <ul style="list-style-type: none"> <li>• Not a criminal offense,</li> <li>• May not be recorded on a driver's record, and</li> <li>• Insurance company may not increase premiums.</li> </ul>	<a href="#"><u>MCA§ 61-8-460</u></a>
<b>"DUI Drugs" MARIJUANA</b>	It is unlawful for any person to drive or be in actual physical control of a commercial or non-commercial motor vehicle while the person's delta-9-tetrahydrocannabinol level, excluding metabolites, as shown by analysis of the person's blood, is 5 ng/ml or more.	<a href="#"><u>MCA§ 61-8-411</u></a>

Implied Consent and Preliminary Alcohol Screening Test: MCA §§ 61-8-402, 61-8-409,

#### Definitions

Implied Consent: A driver on public roads in Montana has, by law, consented to chemical test of their blood, breath, or urine to detect and/or measure the amount of alcohol or drugs in the person's system, if the driver has been arrested for driving under the influence of alcohol or drugs.

If the person refuses to submit to a test, the arresting officer will seize the person's driver license and issue a temporary driving permit (effective twelve hours after issuance and valid for five days).

If a person refuses to submit to a test, and has prior refusal to consent, or a prior or pending conviction for DUI, the officer may apply for a search warrant to get a blood sample.

Preliminary Alcohol Screening Test: A driver on public roads in Montana has, by law, consented to a preliminary alcohol-screening breath test to estimate alcohol concentration in the person's system, if the driver is suspected of driving under the influence of alcohol or drugs.

## Penalties for Refusal of Preliminary Alcohol Screening Test

<i>License Type</i>	<i>First Refusal</i>	<i>Second and Subsequent Refusals</i>
Non-Commercial License	Upon a first refusal, a suspension of 6 months with no provision for a restricted probationary license;	Upon a second or subsequent refusal within 5 years of a previous refusal, as determined from the records of the department, a suspension of 1 year with no provision for a restricted probationary license.
Commercial Driver License	upon a first refusal, suspend the person's commercial driver's license for a 1-year period	upon a second or subsequent refusal, suspend the person's commercial driver's license for life.

## Impaired Driving in Montana: Over Age 21

<i>Penalties</i>	<i>Terms</i>
<b>Jail* : DUI</b> ( <a href="#">MCA§ 61-8-401</a> )	1 <sup>st</sup> Conviction: 24 Hours - 6 Months 2 <sup>nd</sup> Conviction: 7 Days -1 Year 3 <sup>rd</sup> Conviction: 30 Days -1 Year
<b>Jail*: BAC</b> ( <a href="#">MCA§ 61-8-406</a> )	1 <sup>st</sup> Conviction: Up to 6 Months 2 <sup>nd</sup> Conviction: 5 Days - 1 Year 3 <sup>rd</sup> Conviction: 30 Days -1 Year
<b>Jail*: BAC</b> ( <a href="#">MCA§ 61-8-465</a> <i>Excessive BAC or Marijuana</i> )	1 <sup>st</sup> , Conviction: Up to 6 months 2 <sup>nd</sup> , Conviction: 5 Days –1 Year 3 <sup>rd</sup> , Conviction: 30 Days -1 Year
<b>Fine(s)</b>	1 <sup>st</sup> , Conviction: \$600 - \$1,000 2 <sup>nd</sup> , Conviction: \$1200 - \$2,000 3 <sup>rd</sup> , Conviction: \$2,500 - \$5,000 <b><i>Fines DO NOT include court costs / attorney's fees.</i></b> <b><i>Fines &amp; Jail time typically double if passengers under age 16 were in the vehicle at the time of arrest. <a href="#">45-5-207</a> Felony Criminal Endangerment may be charged.</i></b>

<i>Penalties</i>	<i>Terms</i>
<b>Drivers License</b>	1 <sup>st</sup> , Conviction: 6 Months 2 <sup>nd</sup> , Conviction: 1 Year 3 <sup>rd</sup> , Conviction 1 Year A driver's license suspension commences from the date of conviction. For many offenders, the privilege to drive is withdrawn from the entire period listed above. A DUI / BAC violation in a personal (non-commercial) vehicle will impact a commercial drivers license, sometimes for life. If the 1-year suspension period passes and the person has not completed a chemical dependency education course, treatment, or both, as required under MCA <a href="#">61-8-732</a> & <a href="#">44-4-1205</a> , the license suspension remains in effect until the Course or treatment, or both, are completed.
<b>Restricted Probationary Driver License</b>	Judge decides if and when driver is eligible for a restricted probationary driver license. <ul style="list-style-type: none"> <li>• If the driver refused an alcohol test, a restricted probationary driver license is not allowed.</li> <li>• A \$200 driver license reinstatement fee is required.</li> </ul> Driving permitted ONLY to and from driver's home, work, school, required chemical dependency programs, or location reasonably related to family matters.

<p><b>Driver Record</b></p>	<p>A DUI/BAC conviction is on the Driver Record for Life.</p> <ul style="list-style-type: none"> <li>• 10 conviction points added to Driver Record for each DUI/BAC conviction</li> <li>• 30 conviction points= "Habitual Traffic Offender" = Driver License Revocation (<a href="#">MCA§ 61-11-203</a>)</li> </ul> <p><b>Five Year Look Back Period:</b></p> <p>If a driver is guilty of a DUI/BAC offense and less than 5 years have passed between the present offense and a previous conviction, then the driver has committed a 2<sup>nd</sup> or 3<sup>rd</sup> DUI/BAC offense under the law.</p> <ul style="list-style-type: none"> <li>• After 3 lifetime DUI/BAC convictions, all convictions are counted regardless of the time that has passed (<a href="#">MCA§ 61-8-734</a>).</li> <li>• A 4<sup>th</sup> conviction is a felony offense. There is no limitation on the look-back period for 4<sup>th</sup> or subsequent offenses.</li> </ul>
<p><b>Ignition Interlock</b></p>	<p>Judge may order ignition interlock for 1<sup>st</sup> DUI/BAC conviction. Minimum, a 2<sup>nd</sup>, 3<sup>rd</sup>, or subsequent DUI/BAC offender restricted to ignition interlock must:</p> <ul style="list-style-type: none"> <li>• complete 45 days of the 1-year suspension (2<sup>nd</sup> offense),</li> <li>• complete 90 days of the 1-year suspension (3<sup>rd</sup> offense), or</li> <li>• become an authorized DUI Court participant.</li> </ul> <p>Offender must pay all costs of ignition interlock device and may need to lease more than one.</p> <ul style="list-style-type: none"> <li>• Alternative: Judge may order every vehicle owned by driver to be seized.</li> </ul>
<p><b>A - Assessment</b> <b>C - Course</b> <b>T - Treatment</b></p> <p><b>Chemical Dependency</b></p>	<p>If convicted, a DUI offender will be court-ordered to:</p> <ul style="list-style-type: none"> <li>• receive a mandatory alcohol/drug <b>assessment</b></li> <li>• attend a chemical dependency education <b>course</b>, and</li> <li>• <b>treatment</b> and monitoring for a 2<sup>nd</sup> and 3<sup>rd</sup> time offender (may be ordered for 1st time offender if found to be chemically dependent).</li> </ul> <p>Offenders must attend, complete, and pay all requirements.</p>
<p><b>Penalties</b></p>	<p><b>Terms</b></p>
<p><b>4<sup>th</sup> Conviction - Felony</b></p>	<p>Fourth offense is a felony.</p> <ul style="list-style-type: none"> <li>• Jail: Minimum 13 Months - Maximum Five Years</li> </ul> <p>If offender completes alcohol treatment program, then remainder of the 13-month sentence must be served on probation.</p> <ul style="list-style-type: none"> <li>• This sentence may not be deferred or suspended, not eligible for parole.</li> <li>• A fine not less than \$1,000 or more than \$10,000</li> <li>• Driver's vehicle owned and operated by at the time of offense will be seized.</li> </ul>

## Impaired Driving in Montana (Under Age 21, BAC 0.02% [MCA 61-8-410](#))

### Under Age 18

Penalties	1 <sup>st</sup> Conviction	2 <sup>nd</sup> Conviction	3 <sup>rd</sup> Conviction
Jail	None	None	None
Fine	\$100 - \$500 <i>(Not Including Court Costs)</i>	\$200 - \$500 <i>(Not Including Court Costs)</i>	\$300 - \$500 <i>(Not Including Court Costs)</i>
License	Same as for ages 18-20, but no probationary driver license for first 30 days of suspension.	Same as for ages 18-20, but no probationary driver license for first 30 days of suspension.	Same as for ages 18-20, but no probationary driver license for first 30 days of suspension.
Courses and Treatment	Same as for ages 18 -20	Same as for ages 18-20	Same as for ages 18-20

### Ages 18-20

Penalties	1 <sup>st</sup> Conviction	2 <sup>nd</sup> Conviction	3 <sup>rd</sup> Conviction
Jail	None	Maximum: 10 Days	Minimum: 24 Hours Maximum: 60 Days
Fine	\$100 - \$500 <i>(Not Including Court Costs)</i>	\$200 - \$500 <i>(Not Including Court Costs)</i>	\$300 - \$500 <i>(Not Including Court Costs)</i>
License	Suspension: 90 Days or 6 Month s if BAC $\geq$ 0.08 .  If BAC $\geq$ 0.18, then ignition interlock device may be ordered.	Suspension: 6 Months  If restricted probationary license is allowed, ignition interlock device is required.	Suspension: 1 Year  If restricted probationary license is allowed, ignition interlock device is required.
Courses and Treatment	Court-ordered to: <ul style="list-style-type: none"> <li>receive alcohol/drug <b>assessment</b> ,</li> <li>attend chemical dependency education <b>course</b> , and</li> <li><b>treatment</b> and monitoring if found to be chemically dependent.</li> </ul> Must complete and pay for all requirements.	Court-ordered to: <ul style="list-style-type: none"> <li>receive alcohol/drug <b>assessment</b>,</li> <li>attend chemical dependency education <b>course</b>, and</li> <li><b>treatment</b>; monthly monitoring for at least one year.</li> </ul> Must complete and pay for all requirements.	Court-ordered to: <ul style="list-style-type: none"> <li>receive alcohol/drug <b>assessment</b>,</li> <li>attend chemical dependency education <b>course</b>, and</li> <li><b>treatment</b>; monthly monitoring for at least one year.</li> </ul> Must complete and pay for all requirements.

"Real-life consequences" of DUI/BAC: increased insurance rates, restricted travel to other countries, and decreased education and career opportunities.

## Minors and Alcohol in Montana (Under Age 21)

"Minors in Possession": A person under the age of 21 who knowingly consumes or has in the person' s possession an intoxicating substance. ([MCA 45-5-624](#))

### Under Age 18

Penalties for MIP <a href="#">(MCA §45-5-624)</a>	1 <sup>st</sup> Conviction	2 <sup>nd</sup> Conviction	3 <sup>rd</sup> Conviction

<b>Fine</b>	Minimum \$100 Maximum \$300 <i>(Not Including Court Costs)</i>	Minimum \$200 Maximum \$600 <i>(Not Including Court Costs)</i>	Minimum \$300 Maximum \$900 <i>(Not Including Court Costs)</i>
<b>Community Service</b>	20 Hours	40 Hours	60 Hours
<b>Jail</b>	None	None	May be transferred to Youth Court
<b>Driver License</b>	Confiscated by Court: 30 days	Confiscated by Court: 6 Months	Confiscated by Court : 6 months
<b>Substance Abuse Information Course</b>	Must complete and pay for community-based substance abuse information course.	Must complete and pay for community-based substance abuse information course.	Must complete and pay for community-based substance abuse information course.

### Ages 18-20

<b>Penalties for MIP (MCA §45-5-624)</b>	<b>1<sup>st</sup> Conviction</b>	<b>2<sup>nd</sup> Conviction</b>	<b>3<sup>rd</sup> Conviction</b>
<b>Fine</b>	Minimum \$100 Maximum \$300 <i>(Not Including Court Costs)</i>	Minimum \$200 Maximum \$600 <i>(Not Including Court Costs)</i>	Minimum \$300 Maximum \$900 <i>(Not Including Court Costs)</i>
<b>Community Service</b>	20 Hours	40 Hours	60 Hours
<b>Jail</b>	None	None	May be transferred to Youth Court
<b>Driver License</b>	None	None	None
<b>A - Assessment (-Course) T - Treatment  Chemical Dependency</b>	Must complete and pay for community-based substance abuse information course.	Must attend community-based substance abuse information course, receive a mandatory alcohol/drug <b>assessment</b> , potential <b>treatment</b> and monitoring.	Must attend community-based substance abuse information course, receive a mandatory alcohol/drug <b>assessment</b> , potential <b>treatment</b> and monitoring

### Other Alcohol-Related Information

**Under 21 Attempting to Purchase:** Fine - Maximum \$150; Community Service.

**Sale of Alcohol to Someone Under 21 Years of Age:** Fine - Maximum \$500 (2nd Conviction : Maximum \$1,000) and/or Jail (County): Maximum 6Months.

**Drinking in Public (Missoula City Ordinance 9.26.020):** Cannot openly drink in public places including vehicles, streets, avenues, alleys, parking lot s. Fine - (TBD)

Montana Drug-Related Laws / [MCA Title 45 Chapter 9 Dangerous Drugs](#)

<b>Drug or Crime/ MCA Code§</b>	<b>Quantity/ Illegal Action</b>	<b>Penalties</b>
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<b>Marijuana / Hashish</b> <b>MCA § <a href="#">45-9-102(2)</a></b>	<i>60 Grams Marijuana or 1 Gram Hashish</i>	<b>1<sup>st</sup> Conviction:</b> Misdemeanor Fine: Not to exceed - \$500 <b>2<sup>nd</sup> Conviction:</b> Fine: Not to exceed - \$500 Jail not to exceed 6 months or both <b>3<sup>rd</sup>, Conviction:</b> Fine: Not to exceed \$1000 Jail Not to exceed 1 year or both
<b>Anabolic Steroids</b> <b>MCA § <a href="#">45-9-102(3)</a></b>	<i>Possession</i>	Misdemeanor Fine: Minimum \$100 - Maximum \$500 and/or Jail (County): Maximum 6 Months
<b>Opiate</b> <b>MCA § <a href="#">45-9-102(3)</a></b>	<i>Possession</i>	Fine: Maximum \$50,000 and/or Jail (Prison): Not to exceed 5 Years
<b>Other "Dangerous Drugs"</b> <b>MCA § <a href="#">45-9-102(3)</a></b>	<i>Possession</i>	Fine: Maximum \$50,000 and/or Jail (Prison): Not to exceed 5 Years
<b>Manufacture or Delivery of Drug Paraphernalia</b> <b>MCA § <a href="#">45-10-104</a></b>	<i>Possession, Delivery, Production</i>	Misdemeanor Fine : Maximum \$500 and/or Jail (County): Not to exceed 6 Months
<b>Delivery of Drug Paraphernalia to Minor</b> <b>MCA § <a href="#">45-10-105</a></b>	<i>Violation of MCA § 45-10-104 + Delivery to Age &lt; 18</i>	Misdemeanor Fine: Maximum \$1,000 and/or Jail (County): Not to exceed 1 Year
<b>Unlawful Sale of Drugs or Alcohol to Underage Person</b> <b>MCA § <a href="#">45-5-623</a></b>	<i>Sells or gives intoxicating substance to minor under the age of 18 (drugs / tobacco) or under the age of 21 (alcohol)</i>	Misdemeanor Fine: Maximum \$500 (\$1,000 2 <sup>nd</sup> offense) and/or Jail (County): Not to exceed 6 Months

<b>Drug or Crime/MCA Code§</b>	<b>Quantity/ Illegal Action</b>	<b>Penalties</b>
<b>Fraudulently Obtaining Drugs</b> <b>MCA § <a href="#">45-9-106</a> and <a href="#">45-9-104</a></b>	<i>Fraudulently (forging, lying to doctor, using fake ID) attempts or obtains dangerous drugs.</i>	<b>1<sup>st</sup> Conviction</b> Fine: Maximum \$50,000 and/or Jail (prison): Minimum 1 Year - Maximum 5 Years <b>2<sup>nd</sup> Conviction</b> Fine: Maximum \$50,000 and/or Jail (prison): Minimum 5 Years - Maximum 10 Years

	<u>Altering Drug Labels</u>	<u>Jail: Not to exceed 6 months</u>
<b>Criminal Distribution of Dangerous Drugs</b> <a href="#">MCA § 45-9-101</a>	Actually or offers to:  Sell, barter, exchange, or give away any dangerous drugs (besides Marijuana).	<p><b>1<sup>st</sup> Conviction</b> Jail (Prison): Not to exceed 25 Years and/or Fine: Not to exceed \$50,000 More severe sentence: Distribution to minor under age 18 and/or distribution within 1,000 ft. school zone.</p> <p><b>2<sup>nd</sup> Conviction</b> Jail (Prison): Minimum 10 Years, Maximum Life Sentence and/or Fine: Maximum \$50,000 More severe sentence: Distribution to minor under age 18 and/or distribution within 1,000 ft. school zone.</p> <p><b>3<sup>rd</sup> Conviction</b> Jail (Prison): Minimum 20 Years, Maximum Life Sentence and/or Fine: Maximum \$50,000 More severe sentence: Distribution to minor under age 18 and/or distribution within 1,000 ft. school zone.</p>

### Federal Drug Penalties: Possession of Controlled Substance

Penalty	1 <sup>st</sup> Conviction	2 <sup>nd</sup> Conviction	3 <sup>rd</sup> Conviction or Subsequent
<b>Fine</b>	Minimum \$1,000 Maximum \$100,000	Minimum \$1,000 Maximum \$250,000	Minimum \$5,000 Maximum \$250,000
<b>Prison</b>	Maximum 1 Year	Minimum 15 Days Maximum 2 Years	Minimum 90 Days Maximum 3 Years

### Further Provisions

**Forfeiture of Property:** If the jail sentence is more than 1 year, then the property (including vehicles, etc.) used to possess drugs must be forfeited to authorities.

**Civil Fine:** Maximum \$10,000.

**Loss of Federal Benefits:** Ineligible for student loans, grants, contracts, and professional and commercial licenses, up to 1 year for 1st conviction, up to 5 years for 2nd conviction. Ineligible to receive or purchase a gun.