

DRUG-FREE SCHOOL AND COMMUNITY ACT

Linfield University is required by federal law (the Drug-Free School and Community Act) to publish the following:

Driving Under the Influence of Intoxicants (DUII)

It is illegal to drive in Oregon with a Blood Alcohol Count (BAC) of .08% or more, or under the influence of intoxicants (alcohol and other drugs). DUII is a Class A misdemeanor that can carry a maximum fine of up to \$5,000. You may be found guilty at a lower BAC reading - or even without a breath test if you show visible signs of physical or mental impairment.

Other Drugs and Driving

Oregon's DUII law states that it is illegal to drive under the influence of either intoxicating liquor or a controlled substance (over the counter, prescription or illicit drugs), or a combination of both.

Open Container Law

In Oregon, it's against the law to drink any alcoholic beverage in a car on a public highway, and it's illegal for the driver or passenger to have an open container in the car on a highway, moving or not.

Implied Consent Law

This law provides that anyone (whether licensed in this state, some other state or unlicensed) is deemed to have given consent to a blood alcohol count (BAC) test when arrested for driving under the influence (DUII) on a public highway or premises open to the public.

Host/Server Liquor Liability ORS 471.410

In Oregon, it is against the law to serve or to make available an alcoholic beverage to a visibly intoxicated individual. Whether you are a host in your home or a server in a licensed establishment, you could be held liable for damages.

Penalty: Maximum \$2,500 fine plus one year in jail.

Minor in Possession (MIP) ORS 471.430

If you are under 21 years of age, it is against the law for you to:

- Purchase, attempt to purchase, or acquire alcoholic beverages.
- Have personal possession of alcoholic beverages.
- Enter or attempt to enter any portion of licensed premises posted or otherwise prohibiting minors' entry.

Penalty: you could be fined up to \$250 for any of the above offenses.

If you are under 18 and violate the MIP laws pertaining to alcohol or controlled substances, you may lose your driver's license for at least one year. If you are not yet licensed to drive, your right to apply for a driver's license may be suspended for one year or until you are 17, whichever is longer.

Furnishing Alcohol to a Minor

Making alcohol available to a minor is a crime. This would include presenting a gift of alcohol, sharing a drink, collecting party donations, or purchasing alcohol for the minor. Selling (collecting party donations) alcohol to a minor is also illegal.

Penalty: The mandatory minimum fine for a first offense is \$350. The maximum which could be imposed is a fine up to \$2,500, one year in jail, or both.

Identification

If you are 21 or older and attempt to purchase alcoholic beverages or enter an establishment where liquor is served, you must be able to produce a driver's license, or, if the license doesn't have your photograph, an identification card issued by the Motor Vehicles Division. It is against the law for you to:

- Loan your license or ID card to someone else.
- Attempt to use a card belonging to someone else or attempt to use a falsified ID card.
- Make a written statement of age that is false in whole or in part, or produce any evidence that would falsely indicate your age, either in trying to enter a bar or when applying for an ID card from the Motor Vehicles Division.

Penalty: Violations involving ID cards are considered criminal offenses (class A misdemeanors) and carry a fine of not more than \$2,500 or one year in jail or both.

Selected Drugs and Legal Outcomes

Under Oregon law, the charge and penalty you face for possession of drugs depends on the drug you were caught with. The chart below represents some of the more common possession charges and their maximum sentences:

Drug	Charge	Potential Sentence
Heroin	Class B Felony	Up to 10 years in prison, \$100,000 fines
LSD	Class B Felony	Up to 10 years in prison, \$100,000 fines
Cocaine	Class C Felony	Up to 5 years in prison, \$100,000 fines
Methadone	Class C Felony	Up to 5 years in prison, \$100,000 fines
Metamphetamines	Class C Felony	Up to 5 years in prison, \$100,000 fines
Steroids	Class A Misdemeanor	Up to 1 year in jail; \$2,500 fines
Some prescription drugs	Class A Misdemeanor	Up to 1 year in jail; \$2,500 fines

Ref: OR.Rev Stat. §475