

## Attachment A – Colorado Drug Laws

Substance	Type of Offense	Legal Sanction
Alcohol	Consumption /possession under 21  Status Offense (age based crime)	<p>1<sup>st</sup> offense- fine &lt; \$250 and 24 hrs of Community Service</p> <p>2<sup>nd</sup> offense- Fine &lt;\$500, alcohol evaluation and assessment, recommended alcohol treatment and 24 hrs of Community Service.</p> <p>3<sup>rd</sup> offense- Class 2 misdemeanor (3-12 months in jail and/or fine \$250-1,000) complete alcohol evaluation and treatment.</p> <p><b>**911 immunity</b> If an underage person calls 911, if the first person to report and request aid for another underage person needing medical attention due to alcohol consumption</p> <p><i>Additional costs/consequences not specified in statute:</i> Possible loss of Driver's License Court fees</p>
Alcohol	Underage drinking and driving (UDD)	<p>BAC limit .02-.05 for DUI</p> <p>Court imposed sanctions:</p> <ul style="list-style-type: none"> <li>• Class A traffic infraction- 4 points plus the original violation</li> <li>• Up to 24 hrs. on Community service</li> <li>• Alcohol evaluation and treatment</li> </ul> <p>DOR/DMV sanctions:</p> <ul style="list-style-type: none"> <li>• Loss of license</li> </ul> <p>Additional consequences:</p> <ul style="list-style-type: none"> <li>• Higher insurance</li> <li>• Court costs</li> <li>• Attorney fees</li> </ul> <p><u><i>Current estimates put the total cost of an alcohol related traffic violation at</i></u> <b><u>+/- \$10,000</u></b></p>

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Substance	Type of Offense	Legal Sanction
Alcohol/drugs	Driving while intoxicated or impaired by alcohol or drugs (DUI/DUID)	<p>Criminal misdemeanor:</p> <ul style="list-style-type: none"> <li>• Up to 18 months in jail</li> <li>• Up to \$5,000 in fines</li> <li>• Alcohol/drug evaluation and treatment</li> <li>• Probation (depends on jail sentence if any)</li> <li>• Community Service</li> <li>• Unable to make a non-alcohol plea arrangement</li> <li>• 2<sup>nd</sup> and subsequent convictions have mandatory jail sentences</li> </ul> <p>DOR/DMV consequences:</p> <ul style="list-style-type: none"> <li>• Loss of license</li> <li>• Interlock device</li> <li>• Increased insurance rates/requirements</li> </ul> <p>Additional consequences:</p> <ul style="list-style-type: none"> <li>• Long term insurance rate increases</li> <li>• Attorney fees</li> <li>• Life-long alcohol conviction on record</li> </ul> <p style="text-align: center;"><i><u>Current estimates put the total cost of an alcohol related traffic violation at+/- \$10,000</u></i></p>
<p>Schedule I or II</p> <ul style="list-style-type: none"> <li>• Cocaine, Opium, Heroin, Morphine, Methadone, LSD, Mescaline, Psilocybin</li> </ul> <p>Non-schedule I or II:</p> <ul style="list-style-type: none"> <li>• Flunitrazepam, Ketamine</li> </ul>	<p><u>POSSESSION only</u></p> <p><u>Manufacturing or Distribution:</u></p> <p>1st Offense</p> <p>2nd Offense</p>	<p>Class 6 felony 1-1.5 yrs. prison and or \$1,000-\$100,000 fine</p> <p>Class 3 Felony 4-12 yrs. prison, \$3,000-\$750,000 fine</p> <p>Class 2 Felony 8-24 yrs. prison, \$5,000-\$1,000,000 fine</p>
Schedule III, IV and V (described below)	<p><u>POSSESSION only</u></p> <p>Class 1 Misdemeanor</p>	6-18 months in Jail and or \$500 to \$5,000 in fines.
Methamphetamine	<p><u>POSSESSION only</u></p> <p>2 grams or Less is a Class 6 felony</p> <p>More than 2 grams is a Class 4 felony</p>	<p>1-1.5 yrs. prison and or \$1,000 to \$100,000 in fines</p> <p>2-6 yrs. prison and or \$2,000 to \$500,000 in fines</p>

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Schedule III, such as: PCP, Codeine, Dilaudid	<u>DISTRIBUTION</u> 1st Offense: Class 4 Felony  Second or subsequent conviction: Class 3 Felony	2-6 yrs. prison \$2,000-\$500,000 fine  4-12 yrs. prison and or \$3,000-\$750,000
Schedule IV, such as: Chloral Hydrate, Tranquilizers, some barbiturates and stimulants	<u>DISTRIBUTION</u> 1st Offense: Class 5 Felony  Second or subsequent conviction: Class 4 Felony	1-3 yrs. prison \$1,000-\$100,000 fine  2-6 yrs. prison, \$2,000-\$500,000 fine
Schedule V, such as: Codeine and other narcotics	<u>DISTRIBUTION</u> 1st Offense: Class 1 Misdemeanor  Second or subsequent conviction: Class 5 Felony	6-18 months jail. \$500 to \$5,000 fine  1-3 yrs. prison, \$1,000-\$100,000 fine
Flunitrazepam or Ketamine	<u>DISTRIBUTION</u> 1 <sup>st</sup> Offense: Class 3 felony  Second or subsequent conviction: Class 2 felony	4-12 yrs. prison \$3,000-\$750,000 fine  8-24 years prison \$5,000-\$1,000,000 fine

**\*Note:** All drug and alcohol convictions can result in additional sanctions by the court to include a prohibition of use prior to the case and during any probation/parole. Additionally the court can order the convicted to pay for evaluations, treatment, tests, etc. The above are listed as general guidelines only.

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### Marijuana Laws

With the passage of Amendment 64 in 2012, new laws are being created governing marijuana use in the state of Colorado. Below is a brief overview of the laws related to marijuana use. At this time there are several District Attorney's Offices evaluating the law and determining how enforcement is going to happen within their jurisdictions.

Amendment 64	<p><u>ALLOWS:</u>                  Person's over the age of 21 to:</p> <ul style="list-style-type: none"> <li>• Possess, use, display, purchase or transport one ounce or less of marijuana</li> <li>• Possess, purchase or transport marijuana accessories</li> <li>• Grow up to 6 marijuana plants (only 3 of which are flowering)</li> <li>• Possess all the marijuana produced by the plants on the premises where the plants are grown</li> <li>• Transfer 1 ounce or less to another adult (21 years of age or older) without compensation.</li> </ul>	<p><u>NOT ALLOWED</u></p> <ul style="list-style-type: none"> <li>• Use of marijuana by anyone under the age of 21. The exception would be anyone with a medical marijuana certificate.</li> <li>• Driving under the influence of marijuana</li> <li>• Public use</li> <li>• Use in a manner "that endangers others"</li> </ul>
Current marijuana laws	<p><u>POSSESSION:</u></p> <p>Less than 2 ounces</p> <p>2-6 ounces</p> <p>6-12 ounces</p> <p>More the 12 ounces</p> <p><u>PUBLIC USE AND DISPLAY:</u></p> <p>Less than 2 ounces</p> <p>More than 2 ounces</p> <p><u>DISTRIBUTION:</u></p> <p>5 LBS or less</p> <p>5-100 LBS</p> <p>More than 100 LBS</p>	<p>Class 2 petty offense- Fine not more than \$100</p> <p>Class 2 misdemeanor                  3-12 months jail - \$250-\$1,000</p> <p>Class 1 misdemeanor                  6-18 months jail - \$500-\$5,000</p> <p>Class 6 felony                  1-1.5 years prison - \$1000-100,000</p> <p>Class 2 petty offense- Fine of \$100 and 15 days jail</p> <p>Class 2 misdemeanor                  3-12 months jail - \$250-\$1,000</p> <p>Class 5 felony                  1-3 yrs. Prison - \$1,000-\$100,000 fine</p> <p>Class 4 felony                  2-6 yrs. Prison - \$2,000-\$500,000 fine</p> <p>Class 3 felony                  4-12 yrs. prison and or \$3,000-\$750,000</p>