

Alcohol, Drugs, and the Law

Laws relating to alcohol and drugs exist at all levels of government. As a general rule, federal and state laws prohibit the manufacture, sale, use or possession of illegal drugs, also known as controlled substances. State and local laws are used to regulate behavior related to alcohol. The primary laws regulating behavior related to controlled substances are **Title 21 of the U.S. Code** and the **New York Penal Law**. Both prohibit the manufacture, sale, use or possession of controlled substances. Both laws also provide penalties for violation of their provisions. Penalties vary in severity, according to many factors such as:

- whether a drug is sold or possessed
- specific drug sold or possessed
- quantity of drug sold or possessed
- age of the person to whom a drug is sold
- location where a drug is sold
- criminal history of the accused

Those penalties may include any of the following or combinations of the following:

- imprisonment
- fine
- probation
- community service
- asset forfeiture

Both laws classify crimes as either felonies or misdemeanors. Felonies are those crimes that are punishable by more than one year in prison. Misdemeanors are those crimes that are punishable by less than one year in jail. The New York Penal Law has a third classification, called **violations**, which are not considered to be crimes and which are punishable by no more than 15 days in jail and fines of no more than \$100.