



ALCOHOL: YOU & THE LAW

SDSU
Crime Prevention Unit

www.police.sdsu.edu
(619) 594-1991

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Alcohol is a drug...

It's a legal drug for people 21 years of age and older, but it's still a drug and therefore has the ability to be addictive... i.e. alcoholism. It is classified as a depressant and is the most commonly abused substance.

Alcohol is responsible for more than 100,000 deaths a year. The leading cause of deaths is drunken driving crashes. Digestive diseases related to alcohol usage are the second leading cause. Alcohol robs its victims of an average of 26 years of life a piece.

ALCOHOL AND THE HUMAN BODY

Alcohol has both a physical and psychological effect on the body. The effects of alcohol will vary from person to person or even the same individual based upon factors such as: age, weight, consumption of food, emotional state, quantity of alcohol taken and the time taken.

Alcohol is absorbed directly into the blood stream without being digested. The blood alcohol level (BAC) can be estimated based on the amount of alcohol consumed and the person's body weight (See BAC chart). The first area of the brain affected controls social inhibitions and other values we have learned. Studies have shown that between 60–95% of all campus crimes and violence are alcohol related.

In addition to the loss of inhibitions, personality changes may occur. A person may become argumentative, belligerent, irritable, hostile or paranoid.

Alcohol also affects the portion of the brain controlling motor skills. Reaction time is slowed and judgment is impaired. Physical symptoms will vary but will usually include; poor coordination, staggering gait, slurred and incoherent speech, sluggishness, drowsiness and droopy eyelids.

ALCOHOL AND CRIME AT SDSU

- 95% of sexual assaults at SDSU involve alcohol or drug usage by the victim and/or suspect, usually to a level of intoxication.
- In approx. 75% of assaults (including cases of mutual combat) that occur at SDSU, at least one of the involved parties had been drinking.
- Over 200 arrests are made annually at SDSU for various alcohol violations.
- Each year, at least one SDSU student is killed or severely injured in an alcohol related accident or incident.

ALCOHOL AND THE LAW

Alcohol abuse has more than social ramifications. There are also legal ramifications when a person is intoxicated.

56.54 (B) SDMC—Consumption or possession of an open alcoholic beverage container in public.

Penalty: \$150.00 fine.

647(f) Penal Code—Disorderly Conduct/Under the Influence—Any person who is under the influence of alcohol and/or drugs in a public place and is in a condition that he/she is unable to exercise care for his/her own safety or the safety of others.

Penalty: At least one day in county jail and possible fine.

25662 Business and Profession Code—A person under the age of 21 who has any alcoholic beverage in his/her possession on any street, highway or in any public place open to the public.

Penalty: fine of \$250 and loss of drivers license for 1 year.

25658(a) Business and Profession Code— Everyone who sells, furnishes, gives or causes any person under the age of 21 years is guilty of a misdemeanor.

Penalty: Fine of \$250 and loss of drivers license for 1 year.

23136(a) Vehicle Code—It is unlawful for a person under the age of 21 years who has a blood alcohol level of 0.01% or higher to drive a vehicle. (0.01% or greater means for practicality sake, any amount of alcohol is a violation)

Penalty: Suspension of drivers license for up to 1 year and the vehicle may be impounded.

23152 (a) & (b) Vehicle Code—It is unlawful for any person under the influence of alcohol/drugs to drive a vehicle. It is unlawful for any person who has a BAC of .08 or higher to drive a vehicle.

Penalties: If you are found guilty in court, fines and penalties will be imposed on you. These fines and penalties will be determined by the court and can range from 3 days in County Jail to one year in State Prison, depending on prior convictions. Your drivers license will be suspended or revoked and you may be placed on probation for up to five years. Fines could be as high as \$1000. Attendance in a drug/alcohol treatment program and community service may also be required.

23153 (a) & (b) Vehicle Code—It is a felony for any person under the influence of alcohol/drugs or who has a BAC of .08 or higher to drive a vehicle and as a result of driving cause injury or death to any person other than the driver.

Penalty: If you are found guilty you could be sentenced to up to 4 years in state prison and fined up to \$5000.

191.5 Penal Code—Gross vehicular manslaughter while intoxicated is the unlawful killing of a human being without malice aforethought while driving under the influence of alcohol and/or drugs.

Penalty: Imprisonment in the state prison for 2, 4, or 6 years.

BLOOD ALCOHOL CONTENT CHART

Estimated % of alcohol by number of drinks in relation to weight*

BODY WEIGHT (IN LBS.)	DRINKS									
	1	2	3	4	5	6	7	8	9	10
100	.038	.075	.113	.150	.188	.225	.263	.300	.338	.375
120	.031	.063	.094	.125	.156	.188	.218	.250	.281	.313
140	.027	.054	.080	.107	.134	.161	.188	.214	.241	.268
160	.023	.047	.070	.094	.117	.141	.164	.188	.211	.234
180	.021	.042	.063	.083	.104	.125	.146	.167	.188	.208
200	.019	.038	.056	.075	.094	.113	.131	.150	.169	.188
220	.017	.034	.051	.068	.085	.102	.119	.136	.153	.170
240	.016	.031	.047	.063	.078	.094	.109	.125	.141	.156

In California it is unlawful for a person to drive with a BAC level of .08% or higher

- These figures are meant to be used only as a guideline and not to be used to determine how much you can safely drink. A person may be legally impaired with a substantially lower BAC% depending on the person's physical condition, level of tolerance, other medications, etc.

For the purposes of this chart, one drink of alcohol is:

- 1). a 12 oz. can of beer or
- 2). a 5 oz. glass of wine or
- 3). 1-1/2 oz. of 80 proof liquor.

They all contain equivalent amounts of alcohol.



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