



# BRANDEIS UNIVERSITY POLICE DEPARTMENT

## MARIJUANA AND DRUG PARAPHERNALIA INTAKE POLICY

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**PUBLIC SAFETY GUIDE**

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Revised:

Issuing Authority:

A handwritten signature in black ink, appearing to read "Matthew T. Rushton".

Chief Matthew T. Rushton

Accreditation Standards (6<sup>th</sup> Edition)

### PURPOSE

This policy outlines procedures for handling marijuana and drug paraphernalia found during room inspections or searches by Department of Community Living (DCL) staff, applying when items are not criminal under Massachusetts law but may still be restricted by federal regulations or university policy.

### POLICY OVERVIEW

The Brandeis University Police Department (BUPD) will not accept or handle marijuana amounts intended for personal use or drug paraphernalia confiscated by DCL staff when possession of these items is legal under Massachusetts law. This policy ensures compliance with federal and university drug and paraphernalia regulations.

### DEFINITIONS

- A. Drug:** Any controlled substance defined under Massachusetts General Laws (MGL c. 94C).
- B. Drug Paraphernalia:** Items primarily intended or designed for drug use, as defined under MGL c. 94C, § 1.
- C. Non-Criminal Items:** Paraphernalia prohibited under federal law (e.g., cannabis-related paraphernalia) but not considered a criminal offense under Massachusetts law.
- D. Personal Use (Marijuana):** Any quantity of marijuana identified by a sworn officer as suitable for personal or recreational use.

## PROCEDURES

### A. Department of Community Living (DCL) Responsibilities:

1. DCL will contact public safety to have a sworn police officer evaluate any controlled substances or paraphernalia discovered during inspections or other processes.
2. DCL will confiscate noncriminal paraphernalia (e.g., bongs, pipes, grinders, vaporizers) found during inspections and retain these items.
3. Marijuana: If deemed for personal use, it will be disposed of and documented by DCL, with cases referred to student conduct.
4. BUPD involvement will be limited unless the item is connected to criminal activity.

### B. Police Department Involvement:

1. BUPD will only confiscate marijuana and paraphernalia when:
  - a) The quantity indicates illegal production or distribution, and or;
  - b) The item is illegal under Massachusetts law or directly associated with a criminal investigation (e.g., drug trafficking) and or;
  - c) The item is classified as a controlled substance under MGL C 94C and is illegal under state law.

**C. Evidence Collection:** For any items confiscated due to criminal implications, BUPD will follow procedures for evidence collection and preservation (GO 1.7.1), including room security and obtaining a search warrant if criminal charges are pursued unless exigent circumstances exist.

Note: All confiscated items will be processed per GO 1.7.2 (Evidence and Found Property).

**D. Student Conduct:** Students found with drugs or paraphernalia violating university policies (even if legal under state law) will be referred to the Student Conduct Office by the Department of Community Living.

**E. Documentation:** BUPD will document and process cases involving drugs or paraphernalia only where a clear violation of Massachusetts law exists.

**F. Review and Amendments:** This policy will be reviewed at least biannually by BUPD and DCL to ensure compliance with state laws and university policies. Amendments will be made as necessary to reflect any changes in Massachusetts drug laws or university procedures.