EXHIBIT III: LOUISIANA AND EAST BATON ROUGE PARISH CRIMINAL PENALTIES

Controlled Dangerous Substances

It is unlawful in Louisiana to produce, manufacture, distribute, dispense or possess with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance classified in Schedules I through V unless such substance was obtained directly or pursuant to a valid prescription or order from a licensed physician or veterinarian or as a provider in R.S. 40:978, while acting in the course of his or her professional practice, or except as otherwise authorized by law. Penalties for violation of laws regulating controlled dangerous substances follow:

**Schedule I: Various opiates, hallucinogens, depressants, and stimulants (R.S. 40:966):** The maximum penalty for production, manufacture, distribution, or possession with intent to produce, manufacture, distribute or dispense Schedule I narcotic drugs, is life imprisonment at hard labor without benefit of probation or suspension of sentence, and a fine of up to $50,000. The maximum penalty for the possession of any Schedule I drug, excluding marijuana or its chemical derivatives, is imprisonment at hard labor for 4-20 years (depending on the substance) and a fine of not more than $5,000. The maximum penalty for a first offense possession of marijuana or its chemical derivatives shall be a fine of not more than $500, imprisonment for not more than 6 months, or both. For quantities of 60+ pounds of marijuana, the penalty shall be imprisonment for a minimum of 10 years up to 50 years without benefit of probation or parole, and a fine of $50,000-$1,000,000, depending on the quantity involved.

**Schedule II: Other narcotics, opiates, stimulants, and depressants (R.S. 40:967):** The maximum penalty for violating Louisiana law concerning the production, manufacture, distribution, or possession with intent to produce, manufacture, distribute, or dispense, of any substances under Schedule II which is a narcotic drug, except cocaine or cocaine base, or which is amphetamine or methamphetamine, shall be imprisonment at hard labor for not less than 5 years up to 99 years, and a fine up to $500,000. For Pentazocaine, the maximum penalty shall be imprisonment at hard labor for not less than 7-10 years without benefit of parole, probation, or suspension of sentence, and a fine up to $15,000. For production or manufacture of cocaine or cocaine base, the penalty shall be life imprisonment and a fine up to $500,000. For any other Schedule II drug, the penalty shall be imprisonment at hard labor for not more than 10 years, and a fine of not more than $15,000. For possession of a Schedule II drug, the penalty shall be imprisonment from 2-60 years and a fine of $5,000 to $600,000, depending on the drug and quantity involved.

**Schedule III and IV: Stimulants, depressants, other narcotics, and anabolic steroids (R.S. 40:968 and R.S. 40:969):** The maximum penalty for violating
Louisiana law concerning the manufacture or distribution of controlled dangerous substances under Schedule III shall be a term of imprisonment at hard labor for not more than 10 years and a fine up to $15,000. For possession of a Schedule III drug, the penalty shall be imprisonment up to 5 years and a fine up to $5,000. For manufacture, distribution, or possession with intent to produce, manufacture, distribute or dispense of a Schedule IV drug, Flunitrazepam, shall be imprisonment at hard labor for not less than 5 to 30 years and a fine of not more than $50,000. For any other Schedule IV drug, the penalty shall be imprisonment at hard labor for up to 10 years and a fine not more than $15,000. For possession of a Schedule IV drug, the penalty shall be imprisonment up to 10 years and a fine up to $5,000.

Schedule V Drugs (R.S. 40:970): For manufacture, distribution, or possession with intent to produce, manufacture, distribute or dispense a Schedule V drug, the penalty shall be imprisonment up to 5 years and a fine up to $5,000. The maximum penalty for possession of a Schedule V Drug is up to 5 years imprisonment and a fine of up to $5,000.

Alcoholic Beverages

Alcohol Possession or Consumption by Person Under Age 21 (RS 14:93): In Louisiana, it is illegal for persons under the age of 21 to purchase, possess, or consume an alcoholic beverage with some exceptions. In East Baton Rouge Parish (Title 13:91), it is illegal for persons under 21 years of age to consume any alcoholic beverage except for an established religious purpose; or with the knowledge, presence and consent of a parent, spouse (age 21 or older), or legal custodian; or for medical purposes. Whoever violates the city-parish ordinance shall be fined $300 or be imprisoned for not more than 6 months, or both.

Misrepresentation of Age by a Minor (14:33): It is unlawful for any person under the age of 21 years to present or offer any evidence of age and identity which is false or fraudulent for the purpose of obtaining or purchasing alcoholic beverages. Whoever violates the provisions shall be punishable by one or more of the following: a fine of not more than $200, community service not to exceed 30 hours, and/or suspension of the violator’s true driver’s license for 90 days.

Purchase of Alcohol for Persons Under Age 21 (RS 14.93): It is illegal for any person, other than a parent, spouse, or legal guardian, to purchase alcoholic beverages on behalf of a person under 21 years of age. Whoever violates this law shall be fined not more than $500 or imprisoned for not more than 30 days, or both.

Public Drinking: In Louisiana (RS 14:93), it is unlawful for any person under age 21 to purchase or have public possession of any alcoholic beverage. Violators are fined $100 or imprisoned for not more than 6 months. In East Baton Rouge Parish (Title 13:1018), it is illegal for any person to possess, imbibe or drink...
alcoholic beverages in or on any public street, alley, sidewalk, right-of-way, park, playground, square or unenclosed public place, including the parking lot or other property adjacent to any licensed premise – unless a special event permit has been issued. Also, it is unlawful to remove an open container containing alcoholic beverages from any establishment that is licensed to sell alcohol. Whoever is guilty of this violation shall be fined not more than $500, or imprisoned for not more than 6 months, or both.

**Drinking in a Motor Vehicle:** In Louisiana (RS 32:300), it is illegal for the driver of a vehicle to possess an alcoholic beverage that is open to consumption including any bottle, can, cup, or other receptacle which has been opened or the contents have been partially removed, or has a straw protruding. Fines range from $100-$500. In East Baton Rouge Parish (Title 13:1018), it is unlawful for any person to drink, consume or be in possession of an alcoholic beverage while operating, or while riding as a passenger in, any private motor vehicle on a public road. In East Baton Rouge Parish, it also shall be unlawful to possess a container containing alcoholic beverage which has been opened (unless placed in the trunk). On a first conviction, the offender shall be fined not less than $125 and imprisoned for not less than 10 days nor more than 6 months.

**Driving While Intoxicated (DWI) (RS 14:98, RS 32:661-669):** It is illegal to operate any motor vehicle, aircraft, watercraft, vessel or other means of conveyance by the operator when they are 1) under the influence of alcohol beverages; 2) have a blood alcohol concentration of 0.08 or greater for persons over age 21, or 0.02 or greater for persons under age 21; 3) under the influence of narcotic drugs, central nervous system stimulants, hallucinogenic drugs or barbiturates to include prescription drugs. The maximum penalties upon arrest for a first DWI (Implied Consent Law) include loss of driver’s license for 90 days up to 180 days. The maximum penalties for a first DWI conviction include a criminal record, 6 months in jail, $1,000 fine plus court costs, and loss of a driver’s license for 90 days. (Note: Third+ convictions are felonies.) For Underage Driving Under the Influence (DUI) the maximum penalties for persons under age 21 include a criminal record, a loss of driver’s license for 6 months, a fine of $100-$250, and participation in substance abuse and driver improvement programs. Penalties increase with subsequent violations to include jail time and vehicle seizure.