# SOCIAL SAFETY THREATS STEMMING FROM DRUG USE BY DRIVERS

#### Abstract

In today's world the phenomenon of drugs is very complex. A comprehensive study of the problems of this social pathology is dealt with by a lot of scientific disciplines for detailed diagnosis of the whole issue. Drug abuse is a common problem that has a negative impact on society, both in terms of health, as well as criminogenic effects, therefore knowledge of this dangerous phenomenon is constantly explored and expanded. The progress of civilization has created ideal conditions for expanding the drug phenomenon. Nowadays, there is a very high possibility of acquisition, and hence the use of psychoactive substances. Taking psychoactive drugs leads to serious addictions to these substances, and in consequence a man is exposed to danger to the health and life. The implication of drug use is not only a health hazard but also psychological and legal ones. Health threat often results in irreversible changes in the immune and nervous system of a man. Drug use causes organism emaciation, internal organs disease, mainly the heart, kidneys and the liver. There is also an increased risk of HIV infection due to the low socioeconomic status. When using psychoactive substances, a personal threat of the addict is also a state of mind. Addiction to psychoactive substances causes a personal threat to human health and life, which is why it is important to raise awareness and inform people about the types of possible implications caused by the phenomenon of drug use, especially that year by year there is an increase of addiction rate mainly among young people.

## INTRODUCTION

In today's world drug phenomenon is a very complex issue. A comprehensive study of the problems of this social pathology is dealt with by many scientific disciplines for detailed diagnosis of the whole issue. Drug abuse is a common problem that carries a negative impact on society, both in terms of health as well as criminogenic effects, therefore, the knowledge of this dangerous phenomenon is constantly being explored and expanded. The progress of civilization has created ideal conditions for widening the drug abuse phenomenon. In this day and age, there is a very high possibility to acquire, and hence to use psychoactive substances. Nowadays there is a great variety of drugs that are readily available. Many types of drugs are distinguished, ranging from stimulants, repressive or psychedelic substances. Stimulant psychoactive substances stimulate the central nervous system, causing the feeling of contentment and well-being. In addition, they inhibit the feeling of hunger, stimulate the activity, cause recovery and prevent sleep [6, s.56]. Repressive psychoactive substances, similarly to stimulants cause feelings of satisfaction and arousal, but it transforms into the feeling of suppress, depression and sedation. Their use mainly causes fatigue and consequently a person begins to dim slowly articulating his or her thoughts and opinions [1, s. 23]. The existing psychoactive hallucinogenic substances cause serious concerns in human psychic. The consequence of their ingestion is a different perception of reality. Being influenced by them, a man experiences auditory and visual hallucination, has disturbed behavior, feels a loss of identity, as well as sensory distortion. Long-term use of hallucinogenic drugs is a cause of severe depression, paranoid reactions and illusion [12, s. 45].

Taking psychoactive drugs causes serious addiction to these substances and in consequence a man is exposed to personal danger to the health and life. The implication of drug use is not only a health hazard but also psychological and legal one. Sometimes health threat results in irreversible changes in the immune and nervous system of a human. Drug use causes organism emaciation,

internal organs disease, mainly the heart, kidneys and the liver. There is also an increased risk of HIV infection, due to the low socioeconomic status [15, s.45]. While using psychoactive substances, a personal threat of the addict is also a state of mind. As a consequence of psychological dependence, a man only focuses on finding and taking drugs, and the good mood and contentment depends only on the state of intoxication. Addiction to psychoactive substances also causes a number of legal risks to which drug users are exposed to. The existing criminal liability provides for strict criminal sanctions for possession, manufacture, acquisition or provision of drugs among other people.

Addiction to psychoactive substances causes a personal threat to human health and life, which is why it is important to raise awareness and inform people about the types of possible implications caused by the phenomenon of drug habit, especially that year by year there is an increase of addiction rate mainly among young people.

# 1. LEGAL CONSEQUENCES

The issues related to the phenomenon of drug addiction in Polish legislation have been mainly regulated by legal acts, such as the Law of 6 June 1997. Penal Code (Dz.U. [Journal of Laws] of 2 August 1997) and the Act of 29 July 2005 on preventing drug addiction (Dz.U. [Journal of Laws] of 19 September 2005). The Criminal Code does not regulate criminal liability directly associated with possessing or trading in drugs, but indicates criminal responsibility for acts committed under the influence of drugs or alcohol. The first mentioned normalization constitutes art 178a<sup>1</sup> which says that a person who is under the influence of an intoxicant or alcohol and leads a motor vehicle in traffic by land, air or the water is punishable by a fine, restriction or deprivation of freedom up to 2 years, and in the case of conducting another vehicle in the area of residence on a public road such person shall be subject to a fine, restriction or

 $<sup>^{\</sup>rm 1}$  Art. 178 ustawy z dnia 6 czerwca 1997 r. Kodeks karny (Dz. U. z dnia 2 sierpnia 1997 r.).

imprisonment of up to one year. Also, individuals who perform activities directly related to ensuring traffic safety and are under the influence of alcohol or drugs shall be subject to imprisonment from 3 months to 5 years (art.180 Criminal Code).

A person who has committed an offense may become institutionalized by the court, or be directed to outpatient treatment if there is a risk of re-offense related to addiction of that person (art.93) Criminal Code), or may be put in a closed drug treatment facility when he or she is sentenced imprisonment without conditional suspension because of the commission of an offense in connection with drug or alcohol addiction (Art.96 Criminal Code).

There is also a provision concerning soldiers, 'who, being appointed to serve or being in the service, are set into a state of insobriety or intoxication with other substance, shall be subject to imprisonment, military detention or 2 years of imprisonment. The prosecution proceeds on the request of the commander of the unit2.

It is worth to mention that the person who was under the influence of alcohol or drugs and lost completely or partially sanity, and she or he could have foreseen it or envisaged it, is subject to criminal liability, as opposed to people who could not manage their behavior, or at the time of the act to recognize its importance because of his or her mental retardation, mental illness or other disturbances of mental activity [3, s. 56].

Another current Polish legal act regulating the issues related to the phenomenon of drug habit and psychotropic substances is the Act of 29 July 2005 on counteracting drug addiction. The first law was the law on the prevention of drug addiction from January 31, 1985 which did not provide for criminal sanction for drug addicts in need of treatment and support due to their addiction, however, the provisions constituted an obstacle to the recognition of petty drug traffickers who claimed to be in possession of prohibited substances only for their own needs. Another Act of 24 April 1997 brought criminal liability for possession of drugs into effect, with the exception of a small amount which is only for the own needs of a person holding it. However, these regulations have not worked again, as traders began to avoid responsibility by carrying with them only small quantities of psychoactive substances. Therefore, a further normalization of the Law of 26 October 2000 introduced the criminalization of drugs regardless of the quantity held, which is maintained by the current law of 29 July 2005 on counteracting drug habit.

In this Act not only the definitions of drugs and drug addiction were determined, but also certain way of treatment, assistance and reintegration of addicts, the duty to take actions by the authorities of local administration and government to counteract this phenomenon, as well as assistance and support by these units to nongovernmental organizations were determined. The Law also stands in Art.6 the unit called the National Office for Drug Prevention, which as a budget unit, subservient to the minister responsible for health issues, performs a series of tasks related to meeting the needs arising from the prevention of drug addiction.

The Act indicates criminal responsibility for acts such as:

- producing, processing, modifying psychotropic substances, drugs or poppy straw;
- carving, storage, possessing, acquiring or disposing of instruments that are used to process and manufacture drugs;
- import, export, transport or intra-community supplies of drugs;
- marketing of drugs or participation in such market;

- providing other people with drugs, as well as procuring, enabling or facilitating their ingestion or these actions in order to achieve personal or pecuniary benefits;
- cultivation of poppy, hemp, with the exception of lowmorphine poppy and fibrous hemp;
- taking aimed at appropriation of drugs<sup>3</sup>

A significant notation also constitutes an article in which it is said that 'who, against the provisions of the Act, possesses narcotic drugs or psychotropic substances is subject to punishment by imprisonment up to 3 years. If the object of the act is a large quantity of narcotic drugs or psychotropic substances, the perpetrator shall be punished from one year to 10 years. In the case of minor importance, the perpetrator shall be subject to a fine, custodial sentence or imprisonment for a year'4. In Art.62 three types can be distinguished, the first of them is the basic type as possession of illegal substances, the second is lesser included offense in which stricter responsibility is noticeable, and the third privileged type in which there appears milder treatment. Although the basic punishment is deprivation of freedom, according to statistics, most of the cases concerning the possession of a small amount results in the court decree on imprisonment, the execution of which is suspended.

The legislator does not define the meaning of 'the case of minor importance' which causes its different understanding and at the same time its difference in courts' decrees. Therefore, they want to clarify 'when assessing the specific case, one should refer to the general principles of the criminal law indicating the criteria for assessing the case of minor importance. Thus, one will have to take into account, first of all the circumstances connected with objective harmfulness, as well as the circumstances that are considered when assessing social harm, as well as the circumstances of the crime committed, and those connected with the perpetrator' [5, s. 89].

Also in the Code of Criminal Procedure there are legal records related to drugs. Art.237 §3 says about the fact that during the proceedings or a reasoned concern of committing a new offense connected to the processing, manufacture, smuggling or trading drugs consolidation and control of content of the telephone conversations are allowed to be made. 13 It should be noted that the Polish legislation does not foresee criminal liability for strictly drug use but for any other behaviour that may cause taking drugs.

## 2. PSYCHLOGICAL IMPLICATION OF DRUG ADDICTION

Psychological dependence on drugs is largely dependent on the characteristics of the human psyche, among others, 'neuroticism, emotional immaturity, poor functioning of the internal control of one's own behavior, inability to meet one's own needs, wrong values system. The youth that under the influence of family, school and peers have developed this kind of psychological traits, usually manifest excessive demands and expects instant satisfaction of their needs'[8, s.76].

The youth also lacks the skills of good coexistence with others. It is oversensitive, characterized by its fragile psyche structure. Such young people are generally timid and submissive, but suffer a lot because of this, as it imputes weakness. This is why they try to pretend mentally strong, imposing their will on others. At the same time they show low resistance to various failures, although they carefully hide it. They cannot defend themselves against failures.

<sup>&</sup>lt;sup>2</sup> Art. 357 ustawy z dnia 6 czerwca 1997 r. Kodeks karny (Dz. U. z dnia 2 sierpnia

<sup>&</sup>lt;sup>3</sup> Art. 53- 64 ustawy z dnia 29 lipca 2005 r. o przeciwdziałaniu narkomanii (Dz. U. z dnia 19 września 2005 r.)

<sup>&</sup>lt;sup>4</sup> Art. 62 ustawy z dnia 29 lipca 2005 r. o przeciwdziałaniu narkomanii (Dz. U. z dnia 19 września 2005 r.)

They get easily irritated and discouraged with failures in life. These features prevent them from fulfilling their desires. They feel very sorry being constantly unsatisfied with their needs and lack of achievements and successes. To somehow drown out these unpleasant feelings, they take the offensive, aggressive, rebellious, defiant attitude, or they use evasiveness, retreat or they run away from difficulties, rather than overcome them [7, s.56].

The feature particularly conducive to the formation of addiction is a tendency produced in a young man to escape from hardship, emigration in the inner world which can easily become the world of narcotic visions [11, s. 59].

Psychological dependence depends mainly on the type of drug and the effect caused by its use and the needs of a person addicted which can be satisfied by this substance. During a deep psychological dependence, well-being and mental state depends only on whether the addicted person is able to reach for drugs at any time needed. In the case of no such possibility this person at all costs is looking for drugs to improve one's own mood and alleviate suffering caused by craving [21, s.15]. Psychological dependence makes the addict focus solely on exploration, obtainment and drug use, neglecting at the same time their duties, family, work.

Because of the constant drug use causing heavy addiction it comes to many mental disturbances, personality disorganization of the addicted person and sometimes rejection of social roles. This results in loosening of moral standards, decline in social performance, exclusion of responsibilities, and sometimes even avoiding compulsory benefits for the state, family, friends or an occupational class.

Psychological dependence on drugs causes, among others, such damage as:

- insomnia
- depression/suicidal trials
- mood disorders (aggression, irritability, depression, apathy)
- memory impairment
- acute and chronic psychosis
- sexual dysfunction
- organic groups, for example, torpor
- emotionality disorder [5, s.34].

It is also worth to mention the so-called 'dual diagnosis'. As defined by the World Health Organization in 1995, co-morbidity is 'cooccurrence in the same individual of a disorder resulting from using psychoactive substances and other mental health disorder.' According to the United Nations Office on Drugs and Crime (UNODC). a patient with dual diagnosis is 'a person who is diagnosed with a problem of alcohol or drug abuse, among other problems, usually on psychiatric grounds, e.g. a mood disorder, schizophrenia [9, s.67]. Co-morbidity is difficult to diagnose. Acute psychiatric symptoms present in patient with co-morbidity, who requests treatment can be mistaken for substance- induced symptoms or vice-versa, the phenomena occurring after giving up or intoxication may be misinterpreted as a mental illness. Routine assessment of psychiatric disorders among drug users at the start of treatment appears to be the exception rather than the rule. Consequently, many patients with comorbidity begin drug treatment without receiving treatment related to mental health problems [19, s. 34].

Drugs can cause altered states of consciousness resembling psychotic-like symptoms, among others, hallucinogenic drugs, as well as amphetamine which causes that 'the person has difficulty with sleeping. He or she is overly excited. He or she can spend a few sleepless nights in a row. He or she is able to function without food. His or her fear intensifies until a deformed perception of reality

and hallucinations appear (visual, auditory and sensory hallucinations) [13, s.57].

The practice of working with addicts, however, suggests that psychotic-like symptoms can occur when using various drugs. Many patients in the period of active addiction alternately reach for marijuana, hashish, strong type of hemp, alcohol, psychotropic drugs, LSD, amphetamine, heroin. What is dangerous is the interaction of various substances. In particular, if a person starts experimenting with drugs at an early age, his or her delicate psyche is exposed to the changing state of consciousness, the toxic effects of drugs. In such case, reaching for LSD, amphetamine or a hug drug can lead to the appearance of psychotic reactions (the so-called 'bad trip') [10, s.78].

We should remember that drug use causes psychological dependence on these substances, which gives such effects as difficulty in remembering and concentration, changes in the functioning of smell, sensation, vision, mood, sense of time, worsening irritability, decreased abilities for creativity and planning, a sense of mental stimulation, agitation and sudden fatigue, euphoria and hallucinations together anxiety reactions and impaired sensory perception [2, s. 23].

## 3. THE HEALTH CONSEQUENCES OF DRUG USERS

Taking drugs, in addition to addiction, also contributes to the very critical, crushing and in most cases irreversible implications of addicts. And those effects are the most dangerous to human life and health. Successive drug poisoning of the human body leads to changes, usually irrevocable in the nervous system that cause degeneration of character and personality. Such changes make the person deprived of moral brakes, higher feelings, aspirations, family feelings and interests [22, s. 89].

A man addicted to drugs is 'more often than not malnourished, has withered complexion and big dark circles under the eyes. Overall, there is an impression of a man seriously ill. The skin has a greyish hue and the whites of the eyes are yellowish due to increased levels of bilirubin in the blood. After taking the drug, there is a maximum miosis, while during the crisis there is a strong mydriasis. On the inside of the forearm, at the height of the elbow joint, sometimes in the area of ankle, along swollen and inflamed veins visible under the skin one might see several puncture scars [18, s.87].

Addiction to drugs causes radical destruction of the body, visible decline in physical strength and body emaciation of an addict. There is also the imbalance and lack of coordination. However, apart from the external symptoms of drug use there also appear diseases of internal organs, primarily exposed are the kidneys and liver. Also, the application of drugs by addicts plays a significant role in health condition because intravenous injection of the drug takes place mostly through the use of dirty needles or syringes used more than once. Hence, different types of infection occur, thrombophlebitis, dermatological changes in the skin, including pyoderma, and also infectious diseases such as hepatitis. There is also the risk of HIV infection [17, s. 23].

Drugs also adversely affect the human digestive system, causing stomach discomfort, tooth decay, they also result in anemia. There occurs increased sweating and body temperature, lowering the efficiency of the muscle or sexual potency, sleep disorders, conjunctivitis [20, s. 45].

The circulatory system is also threatened, which can include hypertension, myocardial ischemia, arrhythmia and heart attack. Making intra-arterial injection of drugs can result in vessel rupture, and as a consequence in damage to the arterial wall and the sudden increase in blood pressure [4, s. 67]. In the case of marijuana

there is a risk of heart rate increase even higher than 100 beats per minute.

Among people taking psychoactive substances there also often appear peripheral neuropathies. They usually occur as a result of simultaneous operation of several factors- addictive substance toxicity, malnutrition, pressure on neural circuits [5, s.78]. Apart from that, the respiratory system: chronic bronchitis, hindering gas exchange in the lung alveoli manifested by pain in the chest and the endocrine system: among people addicted to psychoactive substances endocrine disorders are caused by the influence of these substances on neurotransmission in the central nervous system and the secretion of pituitary hormones [20, s. 32]. The liver is also attacked: the use of psychoactive substances causes a number of histopathological lesions and skin: skin damage caused by intravenous injections are very frequent changes occurring in people taking psychoactive substances in this way [2, s.67].

A very important point is a HIV contagion by quite a large group of people taking drugs. 'A group of drug addicts is also a group particularly predisposed to HIV infection due to its low socioeconomic status (including lack of cooperation, other addictions, such as: addictions, alcohol, nicotine, psychotropic drugs), which makes full epidemic supervision difficult, both in terms of control and treatment. Also, frequent coexistence of other infections, including primarily hepatotropic virus, tuberculosis or mixed bacterial and fungal infections, additionally pave the way for HIV infection in this group of risk. Introduction of the so-called entitlement programmes, harm reduction has enabled a decrease in currently observed incidence in this group of the population, although it is still the most common way of HIV infection in Poland (70% of the known HIV transmissions are infections of addicts), and anti-HIV prevalence is ascertained in 10% of drug addicts. However, since 2001 we observe a gradual decrease of the infected in this way. Particular attention is paid to the decline in the number of newly infected young women addicted to intravenous drugs, in favour of other ways- mainly heterosexual. This situation may indicate the smaller popularity of the so-called hard drugs among young people [14, s. 98].

The percentage of cases of AIDS among drug users is an important indicator of morbidity, reaching over 50% in 2005 among all patients. Previously, the majority (almost 90%) were not treated antiretroviral, which indicates the ubiquitous problem with the full epidemiological – therapeutic supervision of this group infected [16, s.87].

## **CONCLUSIONS**

The development of the drug problem poses a great challenge for prevention and psychological assistance. Especially, since new substances highly disrupting nervous system reached the Polish market. In toxicological, psychiatric psychological practice more and more clear link between drug use and aggressive behavior and the use of violence is being noted. The most important cause-and-effect relationships include: amphetamine, cocaine, afterburners, GBH and ketamine.

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## Akty prawne:

- Ustawa z dnia 6 czerwca 1997 r. Kodeks karny (Dz. U. z dnia 2 sierpnia 1997 r.).
- Ustawa z dnia 29 lipca 2005 r. o przeciwdziałaniu narkomanii (Dz. U. z dnia 19 września 2005 r.).

# ZAGROŻENIA BEZPIECZEŃSTWA SPOŁECZNEGO WYNIKAJĄCE Z ZAŻYWANIA NARKOTYKÓW PRZEZ KIEROWCÓW

#### Streszczenie

W dzisiejszym świcie zjawisko narkomanii ma bardzo złożony charakter. Kompleksowym badaniem problemów owej patologii społecznej zajmuje się wiele nauk w celu szczegółowego zdiagnozowania całości zagadnienia. Narkomania jest powszechnym problemem niosącym negatywny wpływ na społeczeństwo, zarówno w skutkach zdrowotnych jak i kryminogennych, dlatego też wiedza o tym groźnym zjawisku jest nieustannie zgłębiana i poszerzana. Postęp cywilizacji stworzył idealne warunki dla poszerzenia się zjawiska narkomanii. W dzisiejszych czasach istnieje bardzo duża możliwość nabycia, a co za tym idzie i zażywania środków psychoaktywnych. Zażywanie środków psychoaktywnych powoduje poważne uzależnienie od tych substancji w konsekwencji, których człowiek narażony jest na osobiste zagrożenie zdrowia i życia. Implikacją zażywania narkotyków jest nie tylko zagrożenie zdrowotne lecz dodatkowo psychiczne i prawne. Zagrożenie zdrowotne niekiedy skutkuje często nieodwracalnymi zmianami w systemie odpornościowym czy nerwowym człowieka. Zażywanie narkotyków powoduje wyniszczenie organizmu, choroby narządów wewnętrznych głównie serca, nerek i wątroby. Istnieje również zwiększone ryzyko zarażeniem wirusem HIV z uwagi na niski status socjoekonomiczny. Podczas zażywania środków psychoaktywnych osobistym zagrożeniem uzależnionej osoby jest również stan psychiczny.

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