

White Earth Tribal and Community College



Drug and Alcohol Abuse Prevention Program (DAAPP)

Education Department General Administrative Regulations
(EDGAR) Part 86
2019-2020

Contents

- Contents 2**
- Introduction 3**
- General Philosophy Statement..... 3**
- Annual Notification..... 3**
- WETCC Alcoholic Beverages or Controlled Substances Policy 3**
- Standards of Conduct..... 4**
- Employee..... 4**
- Student..... 5**
- Legal Sanctions Under Federal and State Law 7**
 - Federal Sanctions..... 7
 - State of Minnesota Laws and Sanctions..... 7
 - Misuse of Alcohol 7
 - Driving Under the Influence 8
 - White Earth Nation..... 8
- Health Risks 8**
- Drug/Alcohol Counseling and Rehabilitation Programs..... 11**
- Biennial Review - Effectiveness and Implementation..... 13**
- Enforcement of Disciplinary Sanctions..... 14**

Introduction

The Drug Free Schools and Communities Act Amendments of 1989 requires an institution of higher education to certify to the U.S. Department of Education, that it has adopted and implemented a Drug and Alcohol Abuse Prevention Program (DAAPP) to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees in order to be eligible for federal financial assistance of any kind.

The rules and regulations of White Earth Tribal and Community College (WETCC) prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees in buildings, facilities, grounds, or other property owned and/or controlled by White Earth Tribal and Community College or as part of College activities. In addition, any person in violation of state or federal drug and alcohol laws will be subject to the appropriate penalties.

General Philosophy Statement

WETCC recognizes that the misuse of alcohol and other drugs is a serious problem in our society and our community. WETCC is committed to protecting the safety, health and well-being of all employees, students, clients, guests and other individuals in our workplace. Alcohol abuse and illegal drug use are understood as significant threats to the safety and security of WETCC and the communities it serves. We take seriously our responsibility to maintain a drug free workplace. We further recognize that drug dependency may be an illness. Consistent with this understanding, however, we have an obligation to ensure that our employees and our students perform efficiently, safely and in an optimal academic environment. Therefore, the college is committed to creating and enforcing clear campus policies regarding the use of alcohol and other drugs.

Annual Notification

This document is designed to be an annual document and a notice will be sent out to inform prospective, new, and returning students and employees of the annual publication. However, updates may be necessary due to the changing of Tribal, State, and Federal laws, or changes to White Earth Tribal and Community College policy. For the most recent publication of this document, please see the White Earth Tribal and Community College website: www.wetcc.edu > "Quick Links".

WETCC Alcoholic Beverages or Controlled Substances Policy

Reference: Policy 440.07 Alcoholic Beverages or Controlled Substance Policy

It is the policy of White Earth Tribal and Community College (WETCC) that the use, sale, possession, transfer, manufacture or distribution of alcohol and/or a controlled substance or paraphernalia commonly associated with controlled substances is forbidden on WETCC campus. In addition, any look alike substance is also prohibited. This policy does not prohibit the valid use of prescription medication used by the authorized individual in accordance to the prescribed method.

The Alcohol Beverages or Controlled Substances Policy Includes:

- Policy Background and Purpose
- Definitions
- Responsibility
- Policy
 - Campus Policy
 - Prescription Medication
 - Academics
 - WETCC Owned Vehicles
 - Law Enforcement

Standards of Conduct

Employee

PERSONAL CODE OF CONDUCT

Reference: Policy 300.10 Personal Code of Conduct

WETCC's Personal Code of Conduct standards are developed to ensure that White Earth Tribal and Community College (WETCC) employees are able to work together as a professional team, with consideration for the rights and interests of others.

The Personal Code of Conduct Policy includes:

- Policy Background and Purpose
- Definitions
- Responsibility
- Policy

This list of personal conduct standards is not all inclusive but serve to provide employees with examples of unacceptable behavior. Management may determine that certain behaviors not described in the WETCC Code of Conduct Standards warrant disciplinary action up to and including termination of employment without notice.

WETCC upholds the standards of the Drug Free Workplace Act and any violation may result in disciplinary action.

The Drug Free Workplace Act: <http://webapps.dol.gov/elaws/asp/drugfree/require.htm>

Employee Sanctions

Reference: Policy 300.29 Corrective Action

Unfortunately, corrective action may be necessary whenever an employee is not meeting attainable expectations.

Corrective Action Policy Includes:

- Policy Background and Purposes
- Definitions
- Responsibility
- Policy
 - Subpart A. Actions includes:
 - Supervisory options when considering disciplinary actions include:
 - Informal discussion and problem-solving between the supervisor and the employee, or
 - A Verbal Warning
 - A Written Reprimand
 - A Suspension Without Pay
 - Dismissal of Employment

CORRECTIVE ACTION

Reference: WETCC Employee Handbook (Page 24)

Unfortunately, it may become necessary when an employee's behavior or conduct does not meet expectations, or is in violation of WETCC policy, some degree of disciplinary action is warranted. The goal, whenever possible, is to improve performance and resolve problems as opposed to issuing punishment.

The degree of discipline shall be directly related to the seriousness of the offense, the employee's employment record, and established practices of WETCC. There is not a sequence of steps to take for disciplinary action, any action shall be decided on an individual basis.

Student

STUDENT CODE OF CONDUCT

Reference: Policy 700.05 Student Code of Conduct

The WETCC Student Code of Conduct applies to conduct occurring from the time of application for WETCC admission, through the actual awarding of a degree and governs conduct that occurs on WETCC property, at WETCC sponsored activities, and off-campus conduct that adversely affects the WETCC community and/or the pursuit of its objectives. Each student is responsible for their conduct.

The Student Code of Conduct Policy includes:

- Behavior subject to WETCC Discipline
 - Infringement of the rights of others
 - Abuse or misuse of substances
 - Interference with College business, academic processes, or student activities
 - Off Campus behavior
 - Violation of WETCC Computer and Network Usage Policies
 - Academic Honesty
 - Participation with an Investigation
- WETCC Disciplinary Procedures
 - Report of a Violation
 - Investigation Process
 - Appeal Rights
- Sanctions
 - Penalties that can be imposed for infractions including reprimand, probation, suspension, or expulsion
- Non-Responsiveness of a student who does not respond to the opportunity to participate in the disciplinary process
- Student Appeals – the right and process to file an appeal within ten working days of a decision
- Maintenance of Conduct Records

Student Sanctions

Reference: Policy 700.05 Student Code of Conduct

- 3.1 Definition:
- 3.1.1 Sanctions are those penalties which may be imposed by the college upon persons who, in proper investigation processes, have been found to have committed violations of the Code of Student Conduct.
- 3.2 Sanctions which may be imposed by the college and assigned by the Associate Dean of Student Services established by Section 2. of this Code are:
- 3.2.1 Reprimand. Reprimand may be delivered either verbally or in writing. If the reprimand is in writing, a copy shall be retained on file in the Associate Dean of Student Services' Office.
- 3.2.2 Conduct probation. Conduct probation indicates that further violation may result in suspension. Conduct probation may not be imposed for more than one year.
- 3.2.3 Suspension from participation in college-sponsored organizations, events and activities.
- 3.2.4 College Suspension. A student who is suspended may not enroll in or attend classes for a determined length of time.
- 3.2.5 College Expulsion. A student who is expelled from the college is permanently barred from the college and premises.

- 3.2.6 Sanctions including but not limited to counseling, evaluation, restitution, community service, and compensation for theft or damage to person or property may be imposed along with an official college sanction.

Legal Sanctions Under Federal and State Law

State and federal laws provide for a variety of legal sanctions for the unlawful possession of illicit drugs and alcohol. These sanctions include, but are not limited to, incarceration and monetary fines.

Federal Sanctions

Controlled substance convictions under federal laws carry penalties ranging from up to one year of imprisonment and a minimum fine of \$1,000 for simple possession to up to life imprisonment and a minimum fine of \$2,000,000 for an individual engaging in a continuing criminal enterprise. Federal controlled substance convictions also can lead to forfeiture of both real and personal property; the denial of federal benefits, such as grants and student loans; and the denial of federally-provided or supported professional and commercial licensures. The seriousness of the offense and the penalty imposed generally depends on the type and amount of the drugs involved.

Provisions of the federal Controlled Substances Act, 21 U.S.C. 801 et al:

<https://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>

Federal trafficking penalties: <https://www.dea.gov/druginfo/ftp3.shtml>

State of Minnesota Laws and Sanctions

Controlled substance convictions under Minnesota laws carry penalties including a prison sentence for not more than 30 years and a maximum fine of \$1,000,000 for sales and possession crimes. Subsequent controlled substance convictions result in commitment to the commissioner of corrections for four to 40 years and a maximum fine of \$1,000,000.

Minnesota controlled substances laws and sanctions:

<https://www.revisor.mn.gov/statutes/id=152>

Misuse of Alcohol

The misuse of alcohol also can result in criminal penalties under Minnesota laws. Anyone under 21 years of age is guilty of a misdemeanor and subject to a minimum fine of \$100 if convicted of purchase, possession, or consumption of alcohol or misrepresentation of age in order to purchase alcohol. Anyone who provides alcohol to individuals under 21 years of age is also subject to criminal sanctions.

Minnesota law – underage alcohol offenses:

<https://www.revisor.mn.gov/statutes/?id=340A.503> Minnesota law – violations and penalties

related to liquor laws: <https://www.revisor.mn.gov/statutes/?id=340A>

Driving Under the Influence

While under the influence of alcohol, it is illegal to drive, or operate an ATV, boat or snowmobile. In addition, Minnesota state law imposes stiff penalties on individuals who are convicted of driving under the influence of alcohol, a controlled substance, or a hazardous substance. For example, a felony conviction of first-degree driving while impaired carries penalties of imprisonment for not more than seven years and a minimum fine of \$14,000. Administrative penalties for driving under the influence convictions include driver’s license suspension, revocation, cancellation, denial, or disqualification.

Minnesota law – driving while impaired, including underage drinking and driving: <https://www.revisor.mn.gov/statutes/?id=169A>

White Earth Nation

The White Earth Reservation Tribal Code does not currently address alcohol and/or drug offenses; however State and Federal laws apply.

Health Risks (Delta State University DAAPP, 2017)

Alcohol and drugs are toxic to the human body. Substance abuse may result in a wide array of serious health and behavioral problems and has both long and short-term effects on the body and the mind. In addition to the problem of toxicity, contaminant poisonings often occur with illegal drug use. HIV infection with intravenous drug use is a prevalent hazard.

Acute health problems may include heart attack, stroke, and sudden death, which can occur for first-time cocaine users. Long lasting effects caused by drug and alcohol abuse can cause problems such as disruption of normal heart rhythm, high blood pressure, leaks of blood vessels in the brain, bleeding and destruction of brain cells, possible memory loss, infertility, impotency, immune system impairment, kidney failure, cirrhosis of the liver and pulmonary damage. Drug use during pregnancy may result in fetal damage and birth defects causing hyperactivity, neurological abnormalities, and developmental difficulties. Additional health risks can include:

SUBSTANCES	POSSIBLE LONG-TERM EFFECTS (not an all-inclusive list)
Alcohol	Depression, neurological and liver damage, physical dependence, cancer, emotional changes, coma, death, impaired judgment, fetal alcohol syndrome, toxic psychosis
Amphetamines (uppers, speed, crank)	Hallucinations, respiratory problems, obsessive behavior, violent behavior, paranoia, dangerously high blood pressure, stroke, heart attack, psychosis, convulsions, loss of appetite, delusions, irritability, insomnia, rebound depression

Barbiturates (barbs, bluebirds, blues)	Physical and psychological dependence, potential liver and kidney problems, impaired judgment, severe withdrawal symptoms, cardiac issues, chronic breathing difficulties, depression, loss of control over bodily movements, short and long term memory loss.
Benzodiazepines (Valium, Xanax, Ativan, Dalmane, Rohypnol) benzos, downers, sleepers, tranqs, roofies	Physical and psychological dependence, seizures, memory and cognitive problems, impaired coordination, double vision, excessive drowsiness, panic reaction; depression, suicidal ideation; irritability
Cocaine & Cocaine freebase (coke, crack, dust, snow, flake, blow, girl)	Strokes, seizures, loss of appetite, malnourishment, paranoia, psychosis, hallucinations, increased irritability, nasal passage damage, heart attack, hypertension, depression
Codeine	Insomnia, liver damage, seizures, organ damage, drug dependence, decreased respiration, coma, death
Flakka	Aggressive behavior, increase in blood pressure, euphoric sensations, alertness, rapid heart rate and palpitations
Hashish	Anxiety, depression, increased appetite and weight gain, changes in respiration, nausea, vomiting, and stomach cramps, panic attacks, loss of coordination, sensory distortions, increased risk for the development of psychosis
Heroin (H, junk, smack)	Lethargy, heart problems, slowed breathing, physical dependence, poor appetite and malnutrition, constipation, sleeping problems, liver and/or kidney damage, infectious diseases, coma, death
Inhalants (ames, gas, laughing gas, poppers, snappers)	Hallucinations, spasmodic reactions, vomiting, sudden death, liver and kidney damage, cardiac arrest, neuromuscular toxicity, loss consciousness, widespread cellular damage, psychological dependence, psychotic reactions, confusion
LSD (acid)	Visual disturbances, disorganized thinking, paranoia, mood disturbances, <i>may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, flashbacks</i>
MDA, MDMA, MOMA (ecstasy, xtc, Molly, scooby snacks, roll, beans)	Depression, anxiety, insomnia, memory loss, hallucinations, sweating and chills, paranoia, nausea, high blood pressure, shaking and tremors, blurred vision
Marijuana (cannabis) pot, grass, dope, weed, joints, roaches, reefer, Mary Jane	Cognitive impairment, depression and anxiety, respiratory issues, mood swings, bronchitis, lethargy
Mescaline (peyote cactus) mesc, peyote	Increased heart rate and blood pressure, loss of appetite, nausea or vomiting, insomnia, excessive sweating, headaches, anxiety or panic, hallucinations, mood swings, paranoia, temporary psychosis
Methamphetamine (meth, crystal, chalk, ice)	Increased wakefulness, increased physical activity, increased respiration, rapid heart rate, irregular heartbeat, increased blood pressure, increased body temperature, coma,

	convulsions, prolonged appetite suppression, organ damage resulting from prolonged malnutrition, hair loss, depression
Methaqualone (ludes)	Cardiovascular and motor dysfunction, respiratory depression, insomnia, increased anxiety, depression, paresthesia's, mood disorders, withdrawal from social activities, events, and interactions, delirium
Morphine (M, morf)	Physical dependence, constipation, shallow or slowed breathing, loss of appetite, chest pain, dizziness, confusion, seizures, agitation, loss of interest in family, friends, and work obligations
PCP (crystal, tea, angel dust)	Impaired memory, speech problems, hallucinations and delusional thinking, higher anxiety, paranoia, and isolation, severe depression with suicidal thoughts, high blood pressure and heart rate, breathing problems
Psilocybin (magic mushrooms, shrooms)	Loss of appetite, significant anxiety or depression, tremors, paranoia, psychosis, death, increased blood pressure, irregular breathing, irregular heartbeat, excessive sweating, impaired judgment, nausea
Spice (K2)	Panic attacks, paranoia, aggression, severe anxiety, hypertension, increased heart rate, hallucinations, myocardial ischemia, seizures
Steroids (roids, juice)	Heart problems, stroke, breast enlargement in men, hypertension, fertility issues, liver damage, kidney failure, masculinization of women, anger and aggression, impotence, paranoia, delusions, depression

*Source: www.drugabuse.com/library/drug-abuse-effects/; <https://www.drugabuse.gov/publications/research-reports/cocaine/what-are-long-term-effects-cocaine-use/>; <https://www.addictionhope.com/qaaludes/>

For a detailed list of health risks derived from illegal drug use, please visit the National Institute on Drug Abuse at <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>

Additional Health Risk of Alcohol Abuse

Alcohol Abuse

Alcohol consumption causes a number of impairments including changes in behavior and normal body function. Even low doses significantly impair judgment, coordination, mental function, thus increasing the risks of accidents and injuries. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses taken acutely can cause respiratory depression, cancers, stroke, liver disease, fetal damage (in pregnant women), and even death. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism and fights. Additional consequences include DUI arrests and serious or fatal car crashes. Continued abuse may lead to dependency, which can cause

permanent damage to vital organs and deterioration of a healthy lifestyle. Alcoholism or alcohol dependence is a diagnosable disease characterized by a strong craving for alcohol, and/or continued use despite harm or personal injury. Alcohol abuse, which can lead to alcoholism, is a pattern of drinking that result in harm to one's health, interpersonal relationships, or ability to work.

Drug/Alcohol Counseling and Rehabilitation Programs

White Earth Substance Abuse programs are available on and near the reservation offering drug abuse prevention, education, intervention, and treatment. Programming varies and may be offered to White Earth tribal enrollees, descendants, family members, and non-native community members, depending on the program. More information can be found on their website: www.whiteearth.com under "Programs and Services" > "Health" or by contacting: pat.moran@whiteearth-nsn.gov

White Earth Nation Substance Abuse Programs:

White Earth Substance Abuse Program

P.O. Box 435
26246 Crane Road
White Earth, MN 56591
Phone: 800-950-3248 ext. 1297
Phone: 218-983-3286 ext. 1297; (for adolescents ext. 6402)

White Earth Substance Abuse Program

2531 New Circle Dr.
Naytahwaush, MN 56566
218-983-3286 ext. 1338

White Earth Substance Abuse Program

47525 Mask Ki Ki Street
Ponsford, MN 56575
218-573-3900

Women's Wellbriety Center

1741 15th Street NW
Bemidji, MN 56601
218-751-6553

White Earth Men's Substance Abuse-Primary Care

2388 State Highway 200
Mahnomen, MN 56557
218- 936-5830

Circle Back Center

35708 Co Hwy 21
Ogema, MN 56569
218-983-6404

Additionally, other regional programs offering assistance in substance abuse treatment or counseling include:

Lakes Counseling Center

1000 8th St. SE
Detroit Lakes, MN 56501
218-847-0696

Drake Counseling Services

115 Willow St. West Suite 1
Detroit Lakes, MN 56501
218-844-5191

Village Family Service Center

Employee Assistance Program
1-800-627-8220

Upper Mississippi Mental Health Center Program for Addictions Recovery

218-751-3280

Alcoholics Anonymous

1-800-371-4017

Narcotics Anonymous (Minnesota Region)

877-767-7676

WETCC Student Services department is available to assist students with referrals for appointments for substance abuse, chemical dependency issues, and other available services in the surrounding communities. Please see the Associate Dean of Student Services for more information or for assistance to set up a meeting.

The following toll-free numbers may also be used for help or advice: In an emergency, call 911.

Program	Phone Number	Hours of Operation
Substance Abuse and Mental Health Services Administration (SAMHSA)	1-800-662-HELP (4357)	24/7
National Suicide Prevention Lifeline	1-800-273-TALK (8255)	24/7
Northwest Mental Health Crisis Hotline	1-800-282-5005	24/7
Crisis Hotline Sanford Health	1-800-422-0045 Text "MN" to 741741	24/7
U.S. Department of Veterans Affairs – VA Nurse	320-252-1670 or 1-800-247-1739	24/7
Prairie St. John's	1-701-476-7200	24/7

Biennial Review - Effectiveness and Implementation

The WETCC DAAPP is designed to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The program maintains compliance with federal standards by providing notice of the WETCC standards of conduct; description of sanctions for violating federal, state, and law, as well as WETCC policy; informing of the health risks associated with alcohol and drug use; offering education, prevention, and referral services to students and staff; monitoring WETCC's consistency of enforcement of sanctions; and performing a biennial review of the program's effectiveness. The Associate Dean of Student Services (ADSS), in collaboration with the Human Resources Technician (HRT) and the Cultural Director, ensures the implementation of the WETCC DAAPP and conducts a biennial review of the program to determine effectiveness, implement necessary changes and ensure that disciplinary sanctions are enforced.

The Student Services, Human Resources, and Cultural departments implement activities throughout the year. WETCC activities are designed to meet compliance standards as well as advance the mission of the college by integrating Anishinaabe cultural ceremony and teachings into the prevention program. WETCC offers smudge (a cleansing smoke) and has tobacco for students to offer on a daily basis. Ceremonies such as the water ceremony and drum feast, are conducted throughout the year, where an offering of food and tobacco to the spirits are talked for. Ceremonies such as these offer opportunities for healing by helping students learn traditional Anishinaabe ways to deal with the underlying issues that can lead to addiction. These activities are available to students, staff, and community members. The WETCC DAAPP, policies, and sanctions can be found on the WETCC web-site and in the student and employee handbooks.

WETCC will engage in yearly review and assessment of the DAAPP. The Associate Dean of Student Services is responsible for steering this effort and works with the other departments to identify the objectives, activities, data collection, and assessment of all WETCC DAAPP efforts.

All biennial review documentation will be located in the Associate Dean of Student Services Office. A copy of the DAAPP plan, assessment plan, and the results of the biennial review will be stored on the WETCC One Drive and made available upon request to the public and/or the Secretary of the Department of Education.

Areas of assessment will include, but aren't limited to, the effectiveness of documented mandatory alcohol/drug treatment referrals for students (monitored by ADSS) and employees (monitored by HRT), documented cases of disciplinary sanctions imposed on students (monitored by ADSS) and employees (monitored by HRT), and drug testing results for any student (monitored by ADSS) or employee (monitored by HRT) that were conducted by a rehabilitation program or injury related testing. This information will maintain appropriate anonymity for reporting purposes.

Enforcement of Disciplinary Sanctions

The ADSS and the HRT will review the sanctions imposed on students and employees to ensure that the disciplinary sanctions are consistently enforced.

Appendix A – MN Drug Offender Grid

4.C. Drug Offender Grid

Presumptive sentence lengths are in months. Italicized numbers within the grid denotes range within which a court may sentence without the sentence being deemed a departure. Offenders with stayed felony sentences may be subjected to local confinement.

SEVERITY LEVEL OF CONVICTION OFFENSE (Example offenses listed in italics)		CRIMINAL HISTORY SCORE						
		0	1	2	3	4	5	6 or more
<i>Aggravated Controlled Substance Crime, 1st Degree</i> <i>Manufacture of Any Amt. Meth</i>	D9	86 <i>74*-103</i>	98 <i>84*-117</i>	110 <i>94*-132</i>	122 <i>104*-146</i>	134 <i>114*-160</i>	146 <i>125*-175</i>	158 <i>135*-189</i>
<i>Controlled Substance Crime, 1st Degree</i>	D8	65 <i>56*-78</i>	75 <i>64*-90</i>	85 <i>73*-102</i>	95 <i>81*-114</i>	105 <i>90*-126</i>	115 <i>98*-138</i>	125 <i>107*-150</i>
<i>Controlled Substance Crime, 2nd Degree</i>	D7	48	58	68 <i>58-81</i>	78 <i>67-93</i>	88 <i>75-105</i>	98 <i>84-117</i>	108 <i>92-129</i>
<i>Controlled Substance Crime, 3rd Degree</i> <i>Failure to Affix Stamp</i>	D6	21	27	33	39 <i>34-46</i>	45 <i>39-54</i>	51 <i>44-61</i>	57 <i>49-68</i>
<i>Possess Substances with Intent to Manufacture Meth</i>	D5	18	23	28	33 <i>29-39</i>	38 <i>33-45</i>	43 <i>37-51</i>	48 <i>41-57</i>
<i>Controlled Substance Crime, 4th Degree</i>	D4	12 ¹	15	18	21	24 <i>21-28</i>	27 <i>23-32</i>	30 <i>26-36</i>
<i>Meth Crimes Involving Children and Vulnerable Adults</i>	D3	12 ¹	13	15	17	19 <i>17-22</i>	21 <i>18-25</i>	23 <i>20-27</i>
<i>Controlled Substance Crime, 5th Degree</i>	D2	12 ¹	12 ¹	13	15	17	19	21 <i>18-25</i>
<i>Sale of Simulated Controlled Substance</i>	D1	12 ¹	12 ¹	12 ¹	13	15	17	19 <i>17-22</i>

* Lower range may not apply. See section 2.C.3.c(1) and Minn. Stat. § 152.021, subdivisions 3(c) & 3(d).

¹ 12¹=One year and one day



Presumptive commitment to state imprisonment.



Presumptive stayed sentence; at the discretion of the court, up to one year of confinement and other non-jail sanctions can be imposed as conditions of probation. However, certain offenses in the shaded area of the Grid always carry a presumptive commitment to state prison. See sections 2.C and 2.E.