

# White Earth Tribal and Community College



## Drug and Alcohol Abuse Prevention Program (DAAPP)

Education Department General Administrative Regulations  
(EDGAR) Part 86

2022-2023

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## 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 to be eligible for federal financial assistance of any kind.

White Earth Tribal and Community College (WETCC) rules and regulations prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees in buildings, facilities, grounds, or other property owned or controlled by WETCC or as part of college activities. In addition, any person who violates 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 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 significant threats to the safety and security of WETCC and the communities it serves. We take our responsibility to maintain a drug-free workplace seriously. We recognize that drug dependency may be an illness. However, consistent with this understanding, we are obligated to ensure that employees and 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 an annual notice that will be sent to prospective, new, and returning students and employees. Updates may be necessary due to the changes in tribal, state, and federal laws or 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](http://www.wetcc.edu) > "Quick Links".

## WETCC Alcoholic Beverages or Controlled Substances Policy

*Reference: Policy 440.07 Alcoholic Beverages or Controlled Substances Policy*

It is the policy of White Earth Tribal and Community College (WETCC) that the use, sale, possession, transfer, manufacture, or distribution of alcohol or a controlled substance, or paraphernalia commonly associated with controlled substances is forbidden on the WETCC campus. Any look-like substances are prohibited. This policy does not prohibit the use of prescription medication used by the authorized individual following 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 Policy*

WETCC's Personal Code of Conduct standards were developed to ensure all employees can work 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 provides employees with examples of unacceptable behavior. Managers may determine that certain behaviors not described in the WETCC Personal Code of Conduct Standards warrant disciplinary action 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:

[https://uscode.house.gov/view.xhtml?req=\(title:41%20chapter:81%20edition:prelim\)%20](https://uscode.house.gov/view.xhtml?req=(title:41%20chapter:81%20edition:prelim)%20)

## Employee Sanctions

*Reference: Policy 300.29 Corrective Action Policy*

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
- Subpart B. Review
- Subpart C. Appeals

## CORRECTIVE ACTION

*Reference: WETCC Employee Handbook (page 24)*

When an employee's behavior or conduct does not meet expectations or violates WETCC policy disciplinary action may become necessary. The goal, whenever possible, is to improve performance and resolve problems as opposed to issuing punishment.

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

## Student

### STUDENT CODE OF CONDUCT

*Reference: Policy 700.05 Student Code of Conduct Policy*

The WETCC Student Code of Conduct applies to conduct that occurs on WETCC premises, at WETCC-sponsored activities, and off-campus conduct that adversely affects the WETCC community or the pursuit of its objectives. Each student is responsible for his or her conduct from the time of application for admission through the awarding of the degree, even though the conduct may occur before classes begin or after classes end and during the academic year and periods between terms of enrollment.

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 in an investigation
- WETCC Disciplinary Procedures
  - Report of a violation
  - Investigation process
  - Appeal Rights

- Sanctions
  - Penalties that can be imposed for infractions include 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 Policy*

### 3.1 Definition:

- 3.1.1 Sanctions are penalties that may be imposed by the college upon an individual who has been found to have violated the Code of Student Conduct.
- 3.2 Sanctions that may be imposed by the college and assigned by the student services dean established by Section 2. of this Code are:
  - 3.2.1 Reprimand. Reprimand may be delivered verbally or in writing. If the reprimand is in writing, a copy will be retained on file in the Student Services Dean's 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 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 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 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.dea.gov/drug-information/csa>

Federal trafficking penalties: <https://www.federalcharges.com/what-is-the-sentence-for-trafficking-drugs/>

#### State of Minnesota Laws and Sanctions

Controlled substance convictions under Minnesota laws carry penalties including a prison sentence of 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/cite/152>

#### Misuse of Alcohol

The misuse of alcohol 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 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. 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 address alcohol 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, 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:

<b>SUBSTANCES</b>	<b>POSSIBLE LONG-TERM EFFECTS</b> (Not an 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, 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 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 of consciousness, widespread cellular damage, psychological dependence, psychotic reactions, confusion
LSD (acid)	Visual disturbances, disorganized thinking, paranoia, and mood disturbances, may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, flashbacks
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, 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, 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, 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/](http://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/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 impairments including changes in behavior and normal body function. Even low doses significantly impair judgment, coordination and 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. Extremely high doses taken acutely can cause respiratory depression, cancers, stroke, liver disease, fetal damage (in pregnant women), and death. Statistics show that alcohol use is involved in many violent behaviors on college campuses, including acquaintance rape, vandalism, and fights. Consequences of alcohol abuse 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 or continued use despite harm or personal injury, or both. Alcohol abuse can lead to alcoholism and is a pattern of drinking that results 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](http://www.whiteearth.com) under Divisions > Behavioral Health > Substance Abuse or by contacting:

[WESA@whiteearth-nsn.gov](mailto:WESA@whiteearth-nsn.gov)

## **White Earth Nation Substance Abuse Programs:**

### **White Earth Substance Abuse Program**

PO Box 435  
24246 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** 111 2<sup>nd</sup> Ave. Community Service Building  
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 Welbriety Center**

1741 15<sup>th</sup> 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

Other regional programs that offer substance abuse treatment or counseling include:

**Lakes Counseling Center** 1000 8<sup>th</sup> St. SE Suite A Detroit Lakes, MN 56501 218-847-0696

**Drake Counseling Services**

28579 US-10 East  
Detroit Lakes, MN 56501 218-847-1329

**Village Family Service Center** Employee Assistance Program 910 Lincoln Ave  
Detroit Lakes, MN 56501 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. See the student services dean for more information or for assistance to set up a meeting.

The following toll-free numbers may be used for help or advice: Call 911 in an emergency.

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 (Veterans Affairs) 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, and 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 student services dean (SSD), in collaboration with the Human Resources Technician (HRT) and the cultural coordinator, 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 meet compliance standards and advance the mission of the college by integrating Anishinaabe cultural ceremonies and teachings into the prevention program. WETCC offers smudge (a cleansing smoke) and tobacco for students daily. Ceremonies such as the water ceremony and drum feast are conducted throughout the year, where there is an offering of food and tobacco to the spirits. Ceremonies 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 are available at [wetcc.edu](http://wetcc.edu) and in the student and employee handbooks.

WETCC will review and assess the DAAPP yearly. The student services dean or academic dean steers this effort and works with the other departments to identify the objectives, activities, data collection, and assessment of WETCC DAAPP efforts.

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

Assessment areas include the effectiveness of documented mandatory alcohol/drug treatment referrals for students (monitored by SSD) and employees (monitored by HRT), documented cases of disciplinary sanctions imposed on students (monitored by SSD) and employees (monitored by HRT), and drug testing results for any student (monitored by SSD) 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 SSD and 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 Manufacture of Any Amt. Meth</i>	<b>D9</b>	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>	<b>D8</b>	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>	<b>D7</b>	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 Failure to Affix Stamp</i>	<b>D6</b>	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>	<b>D5</b>	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>	<b>D4</b>	12 <sup>1</sup>	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>	<b>D3</b>	12 <sup>1</sup>	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>	<b>D2</b>	12 <sup>1</sup>	12 <sup>1</sup>	13	15	17	19	21 <i>18-25</i>
<i>Sale of Simulated Controlled Substance</i>	<b>D1</b>	12 <sup>1</sup>	12 <sup>1</sup>	12 <sup>1</sup>	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).

<sup>1</sup> 12<sup>1</sup>=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.