



**Manual on
Campus Crime
Sexual Harassment
Discrimination
and
Substance Abuse
2010-2011**



In accordance with The Student Right-to-Know and Campus Security Act, as amended (Title II of Public Law 101-542) and The Drug-Free Schools and Community Act Amendments of 1989 (Public Law 101-226), Coleman University is required to collect certain information. It also requires that the institution prepare, publish and distribute this information to all current students and employees and to any applicant for enrollment or employment, upon request.

On the following pages, you will find information on campus crime; sexual harassment and discrimination; and unlawful possession, use or distribution of illicit drugs and alcohol on campus, including information on who to contact at Coleman University for further information or assistance.

June 11, 2009

Section I

Campus Crime

Coleman University expects everyone in our community (faculty, administration and students) to respect others and their possessions. Anyone who commits a crime and/or an offense while on campus is at risk of not being allowed back on campus, thus ending their employment or enrollment at Coleman University.

Anyone who is the victim of a criminal act or sees a criminal act, including sex offenses, should report the offense immediately to the reception desk on campus. It is important to preserve any evidence as may be necessary to the proof of a crime, especially criminal sexual assault.

The receptionist will ask the victim or witness to complete a short report as to what criminal act has taken place. The report may also be made to a member of the Student Services staff. The victim of the crime, as well as any witnesses, will be encouraged to report the incident to the San Diego Police Department with or without the assistance of a Coleman University staff member.

This report is forwarded to the management of Coleman University to keep them informed of criminal activities in order to make any necessary changes to campus security.

The receptionist or other school administrator can assist the victim or witness in contacting the police, emergency help or referral to our counseling staff who can further advise the victim on where to seek other assistance such as counseling.

If the accuser and/or the accused of any crime on campus, including sexual assault, is a Coleman University student or staff member, a campus disciplinary proceeding will take place. The accuser and the accused will have the same opportunity to have others present during the proceeding and both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding related to a criminal act.

Possible sanctions that an accused faces for any crime including rape, acquaintance rape, or other sex offenses (forcible or nonforcible) following an on-campus disciplinary action include, but are not limited to probation, suspension or dismissal. The student may also be subject to prosecution under federal, state and local laws.

Students who are victims of a sexual offense and need assistance in arranging other academic or living situations should contact a member of the Student Services staff. A staff member can arrange for a change of schedule. Although Coleman University does not have on-campus housing, Student Services can provide referrals as to where to seek assistance with living arrangements.

Coleman University is open to the public and access to the campus is not restricted. Student and staff badges are required to assist everyone in the community to be aware of the people around them. Students are encouraged to report anyone in the classroom or lab areas that does not have a Coleman ID badge to the nearest faculty or staff member. The doors are open from 7:00am to 11:00pm Monday through Thursday and from 7:00am to 4:00pm on Friday. At all other times an extensive alarm system secures the building. Doors that are not normal public entrances remain locked at all times. Emergency exits have alarms that sound when the door is opened.

Prevention is the best tool for the elimination of crimes. All Faculty, staff and students should take every step necessary to prevent crimes, such as locking car doors and windows, removing expensive



items from sight of a potential burglar and increasing awareness of peculiar and/or potential crime situations. Students are reminded to never leave belongings unattended in the classroom, lab, or break areas.

Security matters and crime prevention are discussed during an orientation, which all students are required to attend. Security matters and crime prevention will also be discussed during regular employee meetings.

Coleman University does not recognize any off-campus student organizations nor do any university housing facilities exist on or off campus. The following on-campus criminal offenses were reported to campus authorities:

	2009	2008	2007
Murder	0	0	0
Sex Offenses (forcible and nonforcible)	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Liquor Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Weapons Possessions	0	0	0

Coleman University offers limited counseling services and formal educational programs designed to inform students and employees about the prevention of crime. However, San Diego County has numerous resources available in these areas, especially for matters related to sexual assault.

The following is a list of some of the organizations that offer assistance or counseling programs. Many of these organizations offer these services for free or on a sliding scale based on the ability to pay. A complete list of organizations and further information is available in the Student Services office.

SAN DIEGO COUNTY MENTAL HEALTH DEPARTMENT

Crisis Team

(800) 479-3339 (24 hours) or (619) 557-0500 (24 hours)

WOMEN'S RESOURCE CENTER

Provides crisis intervention and a range of counseling and supportive services to victims of sexual assault and domestic violence.

1963 Apple Street, Oceanside, CA 92054

(760) 757-3500

CENTER FOR WOMEN'S STUDIES AND SERVICES

24-hour hotline, in-person counseling (all types), Temporary Restraining Order Clinic, advocacy, court accompaniment, dissolution clinic, and information and referral. Also provides community-wide domestic violence prevention and education programs.

4508 Mission Bay Drive, San Diego, CA 92109

888-272-1767 (24 hours)

INSTITUTE FOR CRIME AND TRAUMA SURVIVORS

Provides clinical services to crime and trauma survivors, and educational programs for those who are at risk of post-traumatic stress disorder. Also provides educational programs to the community.

827 W. San Marcos Blvd. San Marcos, CA 92069

(760) 599-9495

Section II

Sexual Harassment and Discrimination

Introduction

This section is addressed to all members of the Coleman University community. It was written with the recognition that increased discussion about the issues raised here will improve communication and create a positive working and learning environment on campus.

The focus is on better understanding a particular aspect of sex discrimination – sexual harassment. This section is part of the effort to promote a learning and working environment free of assumptions based on gender or sexuality.

Coleman University is committed to providing equal opportunity and a climate free of discrimination based on race, color, religion, sex, sexual orientation, national origin, handicap or age.

Message from the Administration of Coleman University

It is the policy of Coleman University to maintain a working and learning environment free from sexual harassment for its students, employees, and those who apply for student or employee status. All students and employees should be aware that Coleman University is concerned and will take action to eliminate sexual harassment.

Federal Law

Discrimination on the basis of sex is prohibited by Title VII of the civil Rights Act and by Title IX of the Education Act.

Harassment on the basis of sex is a violation of section 706 of Title VII. Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when one or more to the following circumstances are present:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or classroom participation.
- Submission to or rejection of such conduct by an individual is used as the basis for employment or classroom decisions offering such individuals.
- Such conduct has the purpose or effect of substantially interfering with an individual's work or classroom performance, or of creating an intimidation, hostile, or offensive environment.

Equal Employment Opportunity Commission
Guidelines on Discrimination Because of Sex
29 CFR Part 1604. 11(a)
November 10, 1980

What is sexual harassment?

Sexual harassment refers to the unwelcome imposition of sexual attention usually in the context of a relationship of unequal power. Central to this concept is the use of a position of authority in the University, be it individual or group, to lever benefits or impose deprivations on another. This policy does not condone any faculty, staff, student, or campus group or organization relationships or activities, which involve the exploitation of others and/or the imposition of unwanted sexual attention.

This illegal behavior includes verbal, nonverbal, or physical conduct, which has the intent or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive education or work environment. The definition also includes unwelcome sexual advances and requests for sexual favors, which might be perceived as explicitly or implicitly affecting educational, or employment decisions concerning an individual.

Sexual relationships between a faculty member and a student currently enrolled in the faculty member's course, or under supervision or direction of the faculty member, are unprofessional.

Sexual relationships between superior and subordinate are ill advised insofar as they may adversely affect the workplace relationship and environment.

A man, as well as a woman, may be the victim of sexual harassment, and a woman, as well as a man, may be the harasser. Statistics confirm, however, that many more women are harassed than men. The victim may be of the same sex or different sex.

Myths about sexual harassment

- *"It's not really a serious matter in the U.S."*

FACT: Sexual harassment costs employers millions of dollars each year in absenteeism, medical bills, turnover, liability claims, and legal costs and awards. Many individuals terminate rather than confront co-workers or supervisors. Some may feel "tainted" by an atmosphere in which others assume they are potential harassers, or assume that they condone harassing behaviors.

- *"Flirtation is a harmless part of work – you can't change that"*

FACT: Mutual flirtation among equals may be a pleasant part of the work experience. Notice the use of the terms "mutual" and "among equals." Sexual harassment is unwelcome behavior that usually involves a power relationship – a relationship in which one person can influence employment decisions, academic decisions, and conditions of employment or grades.

- *"If an individual isn't interested, s/he can just say no"*

FACT: Surveys report that in many instances a "no" is still taken for a coy "yes, maybe" and may lead to further pressure. A high percentage of American working women report experiences of sexual harassment. Most women report reactions of anger, embarrassment and intimidation.

Examples of Sexual Harassment

The following examples of specific behavior may assist us in establishing what constitutes sexual harassment at Coleman University. For convenience these examples are grouped under the categories of students and employees.

Students

- A teacher offers you a better grade, extra help, or an academic opportunity in return for your sexual attention, or threatens action against you for refusal.
- A person supervising your campus job or academic assignment makes repeated sexual comments that interfere with your work or learning experience.
- An adviser or counselor asks questions of a sexual nature inappropriate to the topic at hand that offend you or make you uncomfortable.

Faculty and Staff

- A senior colleague or supervisor directly or indirectly offers to influence a promotion or tenure decision affecting you in return for your sexual attention, or suggests or takes action against you for refusal.
- A committee member offers to support your proposal in return for sexual attention.

Consequences of Sexual Harassment

Below are some examples of the negative consequences of sexual harassment.

1. Students may find that sexual harassment:
 - Discourages and demeans classroom participation.
 - Prevents them from seeking advice or assistance outside of class.
 - Causes them to drop or avoid certain classes, to change major or specialties within majors, and, in some instances, even to leave the university.
 - Minimizes their development and inhibits collegial relationships with faculty.
 - Impedes and dampens academic and career aspirations.
 - Undermines self-confidence.
 - Affects grades.
 - Limits capacity for full intellectual development and professional success.
2. Employees may discover that sexual harassment:
 - Jeopardizes collegial relations.
 - Inhibits professional growth.
 - Inhibits career opportunities.
 - Stifles interactions with students.
 - Undermines academic progress.
 - Hampers the ability to perceive equality of the sexes.
 - Lowers morale and taints the workplace.

Effects of a university environment free from sexual harassment:

- Produces a positive impact on student enrollment and retention.
- Influences students' opinions of the quality of the university.
- Increases motivation to build a campus community.
- Maximizes funding options.
- Impacts positively on accreditation decisions.
- Avoids legal actions.

Actions you can take

The problem of sex discrimination will not go away until we change some basic attitudes and values in our society. But people can reduce their vulnerability and increase their awareness. All of us can take responsibility for bringing about positive change.

Many individuals at Coleman University are willing to assist you. Situations such as those described above are not condoned by the University or by the teaching profession. In some instances, situations may occur out of misunderstanding or ignorance and need only be brought to the attention of the individual(s) for resolution of the problem. Sometimes people are not aware of how their remarks or actions affect someone else.

You do have some options in these situations. If you believe it is appropriate, talk to the individual. If you are a student filling out course evaluation forms, make it known why comments or behaviors you feel are discriminatory have offended you. If an instructor has responded to your earlier concerns and has made efforts to change, support these efforts in your evaluation. Always remember to give full support to instructors who are fair. Or you may wish to utilize the University's official procedure, which is described in the next section.

1.0 Resolution Procedure

The University is aware that sexual harassment is a difficult subject for the involved parties to address with sensitivity and objectivity. The institution is concerned with the rights of all members of its community. All parties to a complaint are entitled to due process in the handling of the complaint.

Individuals should feel free to obtain the support and assistance of a colleague or another Coleman University associate in presenting their concerns. Upon request, a complainant's identity may be withheld unless responsible investigation and settlement of the complaint requires that he or she be identified.

It is Coleman University policy that a person in authority shall not reprimand or discriminate against an individual for initiating an inquiry or complaint. It is also the University's policy to protect the rights of the accused.

1.1 Information Intake

Any student, staff, or faculty member of the Coleman University who suspects that she or he has encountered sexual harassment as defined in the University policy may initially discuss the

incident with any one of the number of knowledgeable individuals with whom she/he feels comfortable.

The primary goal of these individuals is to gather information from the person alleging the sexual harassment, evaluate the situation, and resolve the problem, through both informal and formal procedures. The following individuals are available to provide effective initial contact:

- Director of Student Services
- Senior Instructors
- Deans and Associate Deans
- Branch Manager/Dean of Academics
- Associate Dean of Academics
- President of the University

Complainants may only need to express their concerns and have no intention of seeking further action. The individuals listed will provide the complainant with suggestions for resolving the matter in this way.

1.2 Informal Resolution

Any of the persons initially contacted about a sexual harassment complaint shall obtain assistance to determine how to resolve the issue. The initial contact person may accompany or directly refer the student or employee to one to the following individuals for an informal resolution:

- President of the University
- Branch Manager/Dean of Academics
- Associate Dean of Academics
- Director of Student Services

1.2.1 This individual will assist students, staff, and faculty in taking the complaint through an informal procedure.

1.2.2 Informal resolution requires responsible investigation; the confidentiality of the respondent's identity cannot be guaranteed.

1.3 Formal Procedure

The University reserves the right to take appropriate action with respect to any incident of sexual harassment brought to its attention.

1.3.1 It is the responsibility of the University to ensure that formal procedures appropriate to the situation are followed. Such procedures are governed by law, labor agreements, and University policy and can include the Affirmative Action Grievance Procedures, faculty and staff disciplinary procedures, and applicable criminal and civil codes.

1.3.2 The following University officials are responsible for implementing formal complaint procedures:

- President of the University
- Branch Manager/Dean of Academics



- Associate Dean of Academics
- Director of Student Services

Acknowledgements

American Council on Education, Sexual Harassment on Campus: A Policy and Program of Deterrence
One Dupont Circle, Washington D.C. 20036

Campus Committee on Women's Concerns, Sexual Harassment and Discrimination, San Diego State
University, San Diego, CA 92182-0420

Office of Student Life, New York University, What You Should Know about Sexual Assault and Sexual
Harassment: Campus Policies and Procedures, New York University, New York, NY 10011

Suggested Readings

Harvey Gochros, Jean Gochros, and Joel Fisher (Eds.), Helping the Sexually Oppressed, Englewood
Cliffs, NJ: Prentice-Hall 1986

Barbara Gutek, Sex and the Workplace, San Francisco: Jossey-Bass, 1985

Nathalie Hadjifotiou Harassment at Work, London: Pluto Press, 1983

M. Dawn McCaghy, Sexual Harassment: A Guide to Resources, Boston: GK Hall, 1985

Diana Russell, Sexual Exploitation: Rape, Child Sexual Abuse, and Work Place harassment, Beverly
Hills: Sage Publications, 1984

Section III

Substance Abuse

Coleman University absolutely prohibits the unlawful possession, use or distribution of drugs or narcotics and alcohol on campus property. Any employee or student who does not abide by this regulation is subject to disciplinary action *without warning*. Such action may be in the form of probation, suspension or dismissal. An employee or a student may also be subject to prosecution under federal, state, and local laws.

Refraining from violation while on campus property is not enough. Substance abuse of any kind at any time will inhibit the ability to properly discharge the responsibilities of one's employment or classroom work. On the following pages you will find a directory of agencies and support groups where employees or students with drug and alcohol problems can seek help.

Effects of Drug and Alcohol Abuse

The abuse of drugs and alcohol has a price. The awareness of alcohol and drug use is more than just knowledge of facts and laws; it is a matter of personal responsibility. You need to know the true costs of drug and alcohol use so you can make responsible decisions. The price of drug and alcohol abuse can take many forms. A person can pay with his or her health through the side effects of a drug on the body, or even with his or her life by overdose or involvement in a fatal accident. People under the influence of drugs and/or alcohol are more likely to have unprotected sex, which increases the chance of contracting AIDS and other sexually transmitted diseases. Drugs can also lead to violent crime. Economic and legal problems go hand in hand when one tries to support a drug habit by resorting to crime. The Dependence, the illness, and the loss of job or family as a result of drug and alcohol use can truly be agonizing. The penalties for alcohol and drug related crimes are stringent. A criminal record can cause problems that will last a lifetime.

On the following pages we have provided a synopsis of the health risks associated with the use of illicit drugs and alcohol, as well as the applicable legal sanctions under local, State or Federal law for the unlawful possession or distribution of these substances.

Health Risks Associated with the use of Alcohol

Immediate Risks:

- Increased risk of accidents, injuries
- Nausea
- Gastritis
- Vomiting
- Blackouts
- Unconsciousness
- Death by aspiration of vomitus
- Fatal overdose

Long Term Risks:

- Increased blood pressure
- Increased risk of heart attack
- Brain damage resulting in permanent psychosis
- Cancer of the mouth, esophagus or stomach
- Liver damage, such as cirrhosis, alcohol hepatitis or cancer
- Ulcers and gastritis
- Pancreatitis
- Birth defects
- In males, testicular atrophy and breast enlargement
- In women, increased risk of breast cancer

Health risks Associated with Drug Use**Marijuana and Hashish**

- Chronic Bronchitis
- Decreased vital Capacity
- Increased risk of lung cancer
- In men: lower levels of sex hormone testosterone and an increased in abnormal sperm count

Stimulants (such as cocaine)

- Painful nosebleeds and nasal erosion
- Intense “downs” that result in physical and/or emotional discomfort

Amphetamines (“speed,” “uppers”)

- Malnutrition
- Hallucinations
- Tolerance, psychological and sometimes physical dependence

Depressants (barbiturates, tranquilizers, methaqualone)

- Confusion, depression, loss of coordination
- Tolerance, physical and psychological
- Coma or death (caused by overdose)
- Can be lethal when combined with alcohol

Hallucinogens (LSD, PCP, DMT, STP, mescaline)

- Hallucinations, panic, irrational behaviors (which can lead to increased risk of accidents or injuries)
- Tolerance overdose leading to convulsions, coma, death
- Possible birth defect in children of LSD users

Narcotics (heroin, morphine, codeine, opium)

- Malnutrition
- Hepatitis
- Loss of judgement and self-control (which can lead to increased risk of accidents or injuries)
- Development of tolerance
- Overdose leading to convulsions, coma, and death

Deliriants (aerosols, lighter fluid, paint thinner)

- Permanent damage to lungs, brain, liver, bone marrow
- Loss of coordination
- Confusion, hallucination
- Overdose causing convulsions, death

Drug Use

- Shared needles places one at risk for HIV infection (the virus that causes AIDS)

Nicotine

- Speeds up heart beat
- Increases blood pressure
- Upsets the flow of blood air in the lungs
- Causes drop in skin temperature in the fingers and toes

SUPPORT GROUPS

San Diego has numerous resources for persons who have substance abuse problems. The following is a list of some of the organizations that offer assistance or treatment programs. Further information is available in the Student Services office.

AL-ANON FAMILY GROUPS AND ALATEEN

3108 Fifth Avenue, Suite E, San Diego, CA 92103
(619) 296-2666 Information and Referral to Groups
1 800 690 2666 North County Line
1-800-344 2666 For the states nationwide

ALCOHOLICS ANONYMOUS

7075 Mission Gorge Road, Suite B, San Diego, CA 92120
(619) 265-8762 Hotline
(619) 758-2514 North County Hotline

COCAINE ANONYMOUS

PO Box 261411, San Diego, CA 92126
(619) 268-9109

HARMONIUM, INC.

10717 Camino Ruiz, #104, San Diego, CA 92126
(619) 566-5740

MENTAL HEALTH SYSTEMS

NORTH INLAND RECOVER CENTER
620 N. Ash Street, Escondido, CA 92027
(760) 741-7708

NARCOTICS ANONYMOUS

4689 Felton Street, San Diego, CA 92116
(619) 584-1007

TREATMENT AND RECOVERY

ALCOHOL REHABILITATION CENTER

Must have military affiliation

Naval Air Station Miramar, 19760 Polaris Avenue, San Diego, CA 92145-5299
(619) 537-4491 Patient Affairs
(619) 537-4480 Message Phone

CHARTER BEHAVIORAL HEALTH SYSTEM

7050 Parkway Drive, La Mesa, CA 92041
(619) 465-4411
(619) 465-1000 Help line

CORONADO HOSPITAL, INC./ALCOHOLISM AND DRUG RECOVERY UNIT

250 Prospect Place, Coronado, CA 92118
(619) 238-3736

COUNSELING AND ASSISTANCE CENTER (CAAC)

Must have military affiliation

COM NAV BASE
3075 Corbina Alley, Suite 1, San Diego, CA 92136
(619) 556-7633

CRASH, INC./SOUTHEAST PREVENTION PROJECT

220 N. Euclid, Suite 120, San Diego, CA 92113
(619) 263-6663

HOUSE OF METAMORPHOSIS

2970 Market Street, San Diego, CA 92102
(619) 236-9492

KAISER CHEMICAL DEPENDENCY

Limited to Kaiser Health Plan members

3250 Fordham, San Diego, CA 92110
(619) 221-6550

MCALISTER INSTITUTE OF TREATMENT AND EDUCATION
NORTH COUNTY RECOVERY CENTER
514 N. Coast Highway, Oceanside, CA 92054
(760) 721-2781

MCALISTER INSTITUTE OF TREATMENT AND EDUCATION
EAST COUNTY RECOVERY CENTER
1365 N. Johnson, Suite 108, El Cajon, CA 92020
(619) 440-4801

NARCOTICS ANONYMOUS
4689 Felton Street, San Diego, CA 92116
(619) 584-1007

NATIONAL COUNCIL ON ALCOHOLISM, SAN DIEGO CHAPTER
3660 Ruffin, Suite B, San Diego, CA 92123
(619) 492-9948

NORTH COUNTY SERENITY HOUSE, INC.
(for women)
123 South Elm Street, Escondido, CA 92025
(619) 746-2996 Day Program
(619) 741-5098 Residential Program

PATHFINDERS
(for men)
2980 Cedar Street, San Diego, CA 92102
(619) 239-7370

SAN DIEGO HEALTH ALLIANCE/FASHION VALLEY OFFICE
7020 Friar's Road, San Diego, CA 92108
(619) 718-9890

SAN DIEGO HEALTH ALLIANCE/EL CAJON OFFICE
234 W. Magnolia Avenue, El Cajon, CA 92021
(619) 579-8373

SAN DIEGO HEALTH ALLIANCE/SAN MARCOS OFFICE
1560 Capalina Street, Suite A, San Marcos, CA 92069
(760) 744-2104

STEPPING STONE OF SAN DIEGO, INC.
3767 Central Avenue, San Diego, CA 92105
(619) 584-4010

VOLUNTEERS OF AMERICA/ALCOHOLISM SERVICES CENTER
1111 Island Avenue, San Diego, CA 92101
(619) 232-5171

INFO LINES

North County Coastal (760) 943-0997
 North county Inland (760) 740-0997
 San Diego and El Cajon (619) 230-0997

CALIFORNIA DRUG TRAFFICKING PENALTIES

QUANTITY	DRUG	FIRST OFFENSE	SECOND OFFENSE
Any	Methamphetamine	Possession: Wobbler* Possession for Sale: 16 mos. - 2yrs - 3yrs	Possession: 5-20 years Possession for Sale: Not less than 10 years.
Any	Heroin	Possession: 16mos - 2yrs-3yrs Possession for Sale: 2yrs-3yrs-4yrs	Possession: 5-20 years Possession for Sale: Not less than 10 years.
Any	Cocaine	Possession: 16mos - 2yrs-3yrs Possession for Sale: 2yrs-3yrs-4yrs	Possession: 5-20 years Possession for Sale: Not less than 10 years.
Any	Cocaine Base	Possession: 16mos - 2yrs-3yrs Possession for Sale: 3yrs-4yrs-5yrs	Possession: 5-20 years Possession for Sale: Not less than 10 years.
Any	PCP	Possession: Wobbler* Possession for Sale: 3yrs-4yrs-5yrs	Possession: 5-20 years Possession for Sale: Not less than 10 years.
Any	LSD	Possession: Wobbler* Possession for Sale: 16mos - 2yrs - 3yrs	Possession: 5-20 years Possession for Sale: Not less than 10 years.
Any	Fentanyl	Possession: 16mos - 2yrs - 3yrs Possession for Sale: 2yrs-3yrs-4yrs	Possession: 5-20 years Possession for Sale: Not less than 10 years.
Any	Marijuana (Unlawful sale, importation, gift or transportation)	Possession: 2-3-4yrs Possession for Sale: 16mos - 2yrs - 3yrs	Possession: 5yrs 0 life Possession for Sale: 5 - 15yrs

***Wobblers can be prosecuted as either a felony or a misdemeanor. As a felony the sentence can be 16mos-2yrs-3yrs. As a misdemeanor it can be up to one year.** - Health and Safety Codes: 11350, 11351, 11351.5, 11359, 11360, 11377, 11378, 11378.5

As of January 1, 1998

CSA	2 nd Offence	1 st Offens	Quantity	Drug	Quantity	1 st Offense	2 nd Offense
I And II	<ul style="list-style-type: none"> - Not less than 10 years, Not more than life - If death or serious injury, not less than life - Fine if not more than \$4 million individual, \$10 million other than individual. 	<ul style="list-style-type: none"> - Not less than 5 years, Not more than 40 years. - If death or serious injury, not less than 20 years or more than life. - Fine if not more than \$2 million individual \$5 million other than individual. 	10-99 gm pure or 100-999 gm mixture	Methamphetamine	100 gm or more or 1 kg or more mixture	<ul style="list-style-type: none"> - Not less than 10 years, Not more than live. - If death or serious injury, not less than 20 years, or more than life. - Fine if not more than \$4 million individual, \$10 million other than individual. 	<ul style="list-style-type: none"> - Not less than 20 years, Not more than life. - If death or serious injury, not less than life. - Fine id not more than \$8 million individual, \$20 million other than individual.
			100-999 gm mixture	Heroin	1 kg or more mixture		
			500 - 4,999 gm mixture	Cocaine	5 kg or more mixture		
			5 - 49 gm mixture	Cocaine Base	50 gm or more mixture		
			10 -99 gm pure 04 100-999 gm mixture	PCP	100 gm or more pure or 1 kg or more mixture		
			1-9 gm mixture	LSD	19 gm or more mixture		
			40-399 gm mixture	Fentanyl	400 gm or more mixture		
10-99 gm mixture	Fentanyl Analogue	100 gm or more mixture					
	Drug	Quantity	1st Offense		2nd Offence		
	Others (Law does not include marijuana , hashish or hash Oil	Any	<ul style="list-style-type: none"> - Not more than 20 years. - If death or serious injury, not less than 20 years, not more than life - Fine \$1 million individual, \$5 million not individual 		<ul style="list-style-type: none"> - Not more than 30 years. - If death or serious injury, life. - Fine \$2 million individual, \$10 million not individual. 		
III	All (Includes anabolic steroids 2-27-91.)	Any	<ul style="list-style-type: none"> - Not ore than 5 years. - Fine not more than \$250,000 individual, \$1 million not individual. 		<ul style="list-style-type: none"> - Not more than 30 years. - If death or serious injury, life. - Fine \$2 million individual, \$10 million not individual. 		
IV	All	Any	<ul style="list-style-type: none"> - Not more than 3 years. - Fine not more than \$250,000 individual, \$1 million not individual 		<ul style="list-style-type: none"> - Not more than 30 years. - If death or serious injury, life - Fine \$2 million individual, \$10 million not individual. 		
V	All	Any	<ul style="list-style-type: none"> - Not more than 1 year. - Fine not more than \$100,000 individual, \$250,000 not individual 		<ul style="list-style-type: none"> - Not more than 30 years. - If death or serious injury, life. - Fine \$2 million individual, \$10 million not individual. 		

* Does not include Marijuana, Hashish or Hash Oil.

6/11/09