

Four Corners Fastpitch Association (FCFA) RISK MANAGEMENT POLICY

(Revised 12-08-2015)

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I. RISK MANAGEMENT

Four Corners Fastpitch Association (herein FCFA) Risk Management Policy is put forth to foster safe circumstances for all person(s), and in particular; every child who participates in a recreation Fastpitch softball-affiliated activity, within and under the FCFA Fastpitch authority.

It is the purpose of this Policy to inform all FCFA Board Members, Coaches, Coaching Assistants, Team Managers, Administrators, Volunteers, Parents and/or Guardians and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy, of the risks associated with youth programs and to recommend actions, and encourage conduct, to mitigate those risks.

- ❖ Risk is defined as “the likelihood of injury; injury may be defined as physical, financial, or psychological”. The FCFA Risk Management Policy is one part of the overall FCFA mission to develop, promote, teach, and administer the game of Fastpitch softball for youth in a safe environment in which to play.

A. FCFA Risk Management Policy Statement:

Effective The Fall of 2010, FCFA adopted the following Risk Management Policy for the purpose(s):

1. To identify all coaches and program administrators.
2. To develop and communicate safety guidelines to all coaches and program administrators.
3. To monitor the implementation of this Policy.
4. To institute a standard, individual, “Background Check” Process for all person(s) who will be **directly involved** in FCFA Activities:
 - Coaching
 - Team Managers
 - Administrators
 - Coaching Assistant(s) to include all parent(s) and/or guardians of Team participants/players) and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy)
 - Team and or FCFA League Administration duties.
 - Other Pertinent Appointed, Elected or Volunteer Duties/ as deemed necessary by the FCFA Board

Both on the Field(s) of Play and/or the Field(S) of Practice.

5. FCFA Risk Management Policy shall include:

- An FCFA Board appointed Risk Manager Position on the FCFA Board.
- A standardized web based “Background Check Policy”
- A Standardized “Lanyard” (ID badging) Policy
- A Risk incident Reporting Process/Procedure
- A Denial of Participation Process/Procedure

Note: It is the intent of this Policy to identify and exclude all person(s) who have been convicted of crimes of violence, sex offenses, or felony crimes from direct participation in FCFA league activities. FCFA is always concerned about the safety of Team Participants and League Play and thus is committed to adhering to the FCFA Risk Management Policy.

B. FCFA Risk Management Committee:

1. The FCFA President shall appoint a Risk Manager, *with Board approval*, to administer the FCFA Risk Management Policy.
2. The Risk Manager shall have overall responsibility of the administration of the FCFA Risk Management Policy.
3. The **Risk Management Committee** shall consist of the FCFA Risk Manager, FCFA President and FCFA Vice President's.
4. The Risk Manager shall Chair the Risk Management Committee.
5. All members of the Risk Management Committee shall submit to a legally-sensitive criminal history and Background Check.
6. The Risk Manager and the identified Risk Management Committee Members' Background Check results will be sent directly to the President of FCFA; upon clearance, the President will forward the record(s) for **secure and proper storage**.

Note: In the unlikely event there is no Risk Manager appointed or, he/she has resigned, or he/she can no longer perform the responsibilities of Risk Manager, the FCFA Risk Management duties shall become the responsibility of the FCFA President until such time as a Risk Manager may be appointed by the FCFA President with Board Approval.

C. Risk Management Policy Administration:

The FCFA Risk Manager and FCFA Risk Management Committee shall administer this Policy.

The FCFA Risk Manager and Risk Management Committee's **duties** are to monitor compliance with/to the Risk Management Policy, which includes but is not limited to:

1. Monitoring and documenting FCFA/league compliance. (*USSSA may have separate Risk Management guidance and documentation that the FCFA Risk Management committee shall periodically review for compliance with league standards*).
2. Review of **"Kids Safe or other designated program" Background Check Online Applications**.
3. Manage and oversee Online registration procedures for:
 - Coaches
 - Assistant Coaches
 - Team Managers
 - Administrators
 - Coaching Assistant(s) to include all parent(s) and/or guardians of Team participants/players and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy)
4. Coordinate criminal history and background checks.
5. Supply *administrative notification of exclusion to those applicants* (whether new applicants or returning members) who fail to meet/comply with the FCFA Risk Management standards as defined by the FCFA Risk Management Policy.
6. Immediately report any incident of noncompliance to the FCFA Board of Directors
7. Umpire disclosure statements and compliance will be through their association.
8. The FCFA Risk Manager will, at FCFA Board meetings, report on the progress and implementation of criminal history and background checks and related risk management issues.
9. The FCFA Risk Manager shall review all FCFA Official Documents for compliance with Risk Management Policies, with particular emphasis on financial matters as spelled out in the FCFA **Financial Policies and Procedures Document**.

II. FCFA RISK MANAGEMENT Policy:

A. General Rules

1. FCFA has adopted a Risk Management Policy and all Program Administrators, Coaches, Assistant coaches, Team Managers, parent coaches, on field volunteers *and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity* (ref FCFA Background Check Policy) , shall comply with the conditions of this Policy when acting in any official capacity under the governance of the Four Corners Fastpitch Association.
2. All person(s) identified in paragraph 1 above (under General Rules) shall complete a Disclosure Statement and register with the FCFA.
3. All person(s) identified in paragraph 1 above (under General Rules) shall agree to be subject to a legally-sensitive criminal history and Background Check.
4. FCFA shall process, through Kids Safe, legally sensitive criminal history and Background Checks.
5. Any Program Administrator, Coach, Assistant coaches, Team Managers, parent coaches, on field volunteers *and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity* (ref FCFA Background Check Policy), who, for any reason *through incident or action*, may be determined to present a Risk to the welfare of the FCFA, its Board of Directors, or Youth Participants, shall be subject to the “**Denial, Suspension and Revocation**” process in Section II Paragraph E, Subparagraphs 1,2,3; at the discretion of the FCFA Board of Directors, with input from the FCFA Risk Manager.

- B.** FCFA shall establish a procedure for handling Risk complaints of child or sexual abuse against Program Administrators, Coaches, Assistant coaches, Team Managers, parent coaches, on field volunteers *and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity* (ref FCFA Background Check Policy) , including identifying a point person and an alternate to receive such complaints and to follow the procedures outline in such cases.

C. Registration Procedure for Coaches and Program Administrators

1. While the Disclosure Statement may be submitted through the **online** FCFA Website Registration Process, they shall not be accessed by any person other than the FCFA Risk Manager or his/her designated assistants.
2. After verifying that the Disclosure Form is complete, the FCFA Risk Manager will indicate the clearance in the Background Check Web Process.

D. Registration Rules for Coaches and Program Administrators

1. All Program Administrators, Coaches, Assistant coaches, Team Managers, parent coaches, on field volunteers, *and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity* (ref FCFA Background Check Policy) shall submit to a sensitive criminal history and Background Check.
2. All Program Administrators, Coaches, Assistant coaches, Team Managers, parent coaches, on field volunteers, *and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity* (ref FCFA Background Check Policy), may be required to view and/or read, and submit written acknowledgment of, Risk Management presentation(s) as determined by FCFA and the FCFA Risk Manager.

E. Registration Procedures for Umpires:

Registration Procedure for Umpires (All Categories) shall be governed by the rulings of the Farmington Umpires Association and the USSSA of New Mexico.

F. Denial, Suspension, and Revocation of Coaching and Program Administrator Privileges

1. The FCFA President, with the FCFA Board of Directors approvals, shall have the authority to deny, suspend, or revoke any Program Administrator, Coach, Assistant coach, parent coach, on field volunteer, *and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy)*, rights to participate in any/all FCFA programs or activities; for risk management concerns, or concerns for the well-being of any FCFA member, Officer, Director or youth participant, arising from Risk Management violations, pending a Risk Management hearing by the FCFA Board of Directors.
2. Any entity may, **upon written request**, petition the FCFA **to deny**, suspend or revoke the privileges of a Program Administrator, Coach, Assistant coaches, Team Manager, parent coaches, on field volunteers, *and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy)* or applicant, **for risk management concerns**. The written request shall be submitted to the FCFA Risk Manager and FCFA President in a sealed, dated envelope marked “Confidential”. The FCFA Risk Manager shall investigate the request and reply in writing within thirty (30) days to the FCFA Board of Directors.
3. FCFA’s Risk Management Policy has identified the following as viable grounds for **automatic exclusion** from serving as an FCFA Program Administrator, Coach, Assistant coach, parent coach, on field volunteer, *and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy)*:
 - a. Any conviction for a crime of violence, a crime against a person, a crime against property, or a felony.
 - b. Any report of child abuse appearing on a court record or the Child Abuse Index.
 - c. Any record of sexual offense and/or sexual misconduct.
 - d. Admitted use of/or conviction for use of illegal drugs.
 - e. Documented history of alcohol abuse such as arrests for driving under the influence.
 - f. Documented history of alcohol abuse shall also include 2 convictions for driving under the influence in the preceding 10-year period or 3 convictions for driving under the influence in an applicant’s lifetime.
 - g. Intentionally falsifying information on the Disclosure Form
 - h. Refusal to fully complete the Risk Management Disclosure Form.
 - i. Refusal to submit fingerprints when required by the FCFA Risk Management Program.

G. Discrimination:

Any conduct which discriminates against any individual on the basis of race, color, ancestry, national origin, religion, age, marital status, sex and any request for sexual favors, unwanted sexual advances or propositions, verbal physical and visual harassment, stalking and unwanted sexual contact. Any other information that casts serious doubt on the applicant's ability to be entrusted with the supervision, guidance and care of minors.

H. Bullying:

FCFA Risk Management has adopted as, of November 2015, this Policy statement regarding bullying and cyberbullying:

- 1. "Any substantiated report to the FCFA Risk Manager or other FCFA Board Member(s) or League Representatives, regarding bullying on the Field of Play, Practice Field or by electronic medium (ie: cell phone, email, chat rooms, other social media venues that constitute cyber-bullying) shall be investigated fully by the FCFA Risk Management Committee. FCFA will not tolerate these types of actions and will take necessary actions to stop and prevent bullying. FCFA promotes and advocates TEAM Spirit, Sportsmanship, Integrity in the Game and an Inclusive Environment for all Teams and Member Leagues under the FCFA umbrella."*

I. Litigation:

Any person participating in a sanctioned or sponsored program of FCFA who becomes involved as a **defendant** in litigation detrimental to the welfare of youth players, or litigation based on activities detrimental to the welfare of youth players, **shall be suspended by the FCFA Risk Manager and/or FCFA President** from all FCFA Fastpitch softball-related activities until completion of the litigation. Upon written request of the suspended person, the status of such person shall be reviewed by the FCFA Risk Manager at the completion of the litigation. Within sixty (60) days of receipt of the **written request of the suspended person**, the FCFA Risk Manager shall make recommendation to the Board of Directors for reinstatement of privileges or continued and/or permanent suspension based on the review of the issue. The FCFA Risk Manger will issue a letter of reinstatement or denial of reinstatement within fifteen (15) days of the FCFA Board of Directors decision. Matters detrimental to the welfare of youth players shall include crimes of moral turpitude and felonies. The person has a right to appeal whether the matter, which is the substance of the accusation, if true, is detrimental to the welfare of youth players. Appendix A.5 is a quantitative mechanism whereby FCFA decides an individual's eligibility to be issued a risk management clearance. Individuals with a point total of 10 or greater shall be automatically excluded based on information from the mandatory background check.

Exclusion of Coach and/or Program Administrator (Denial of Participation):

A Program Administrator, Coach, Assistant coaches, Team Manager, parent coaches, on field volunteers, and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy): who is found, through his or her Disclosure form or Background Check, to meet any reason(s) for possible automatic exclusion will be notified through **their email address** submitted with their Background Check. Said Program Administrator, Coach, Assistant coach, parent coach, on field volunteer, and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy), **may resubmit their Background Check with corrections; individuals will have to submit the fee again as well so please make sure all information is truthful and absolutely correct. All rights of participation** in FCFA sanctioned events will be **automatically denied** pending the approved Background Check to the Risk manager.

J. Confidentiality

1. The Disclosure forms shall be used only for the purpose of registering Program Administrators, Coaches, Assistant coaches, Team Managers, parent coaches, on field volunteers, and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy), including denial, suspension, and revocation of Program Administrators, Coaches, Assistant coaches, Team Managers, parent coaches, on field volunteers, and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy) privileges.
2. Confidential records shall be kept stored under lock and key, accessible only to the FCFA Risk Manager, FCFA President, or duly appointed alternate(s). Record(s) reproduction will be limited to a single copy of the Disclosure form and/or the results of the criminal history check (along with any supporting documents) to be controlled by the FCFA Risk Manager when needed.
3. Any record may be reproduced for use upon denial, suspension, or revocation as needed. Any record reproduced for such use will be collected and destroyed at the conclusion of the denial, revocation or suspension incident review by the Risk Management Committee.
4. The FCFA Risk Manager and members of the FCFA Risk Management Committee shall agree to sign and abide by the "Standards of Ethical Conduct Statement" (Appendix A1). The purpose of this statement is to inform the FCFA Risk Manager and all members of the FCFA Risk Management Committee of the security and confidentiality requirements of the information that they will be gathering. Misuse of risk management information may result in legal action.
5. All Program Administrator, Coach, Assistant coach, Team Manager, parent coach, on field volunteer, and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy) Disclosure forms and associated information shall be retained for one year following the last season of registration.

III. Health and Safety Guidelines

A. Child Abuse Guidelines

All Program Administrator, Coach, Assistant coach, Team Manager, parent coach, on field volunteer, and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy) should immediately report any suspected child abuse to the local county child abuse authorities and to the FCFA Risk Manager. The FCFA Risk Manager, upon notification of such a report, will follow up with the Child Abuse authorities. Child abuse reporting forms may be obtained by calling the Forms office of the local Child Protection Agency. There are four types of reportable child abuse that include:

1. **Sexual:** This involves improper touching of private parts, penetration, flashing, the use of pornography, or similar acts. This includes any type of improper behavior where there is a difference in power and control (e.g., adult/child, older child/younger child). There may be threats against the victim or members of the victim's family.
2. **Physical:** Anything that leaves a mark is reportable, such as black eyes, swollen lips, finger marks on the face or other areas.
3. **Neglect:** Incapacitation by the caregivers. This could include not providing a home, food, water, clothing, or supervision for long periods of time or while taking illicit drugs.
4. **Emotional:** Verbally abusing a child.

NOTE: It is not the responsibility of the reporting parties to investigate the allegations. Once the report has been made, the legal authorities will investigate. All information on the reporting parties will be kept in confidence by the legal authorities. It is the responsibility of every Program Administrator, Coach, Assistant coach, Team Manager, parent coach, on field volunteer, and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy) to avoid situations with minors that have the potential of being misunderstood or misinterpreted.

B. First Aid

Minimizing potential risks before they occur is, of course, preferable to dealing with problems when they arise. Knowing what to do if a player gets overheated on a hot day, learning the signs of heat exhaustion and heat stroke could save a life. Learning the signs and symptoms of a serious head injury. Learning when not to move an injured player, when not to send a player back on to the field. What to do if a bystander has a heart attack. All these are areas Program Administrators, Coaches, Assistant coaches, Team Managers, parent coaches, on field volunteers, and anyone who has care, custody and/or control of youth participants, directly involved in any FCFA program or activity (ref FCFA Background Check Policy) need to be aware of. **Rule of thumb: when in doubt, call 911 and let the professionals deal with it.** If a player gets a bloody nose, or other cut, make sure all blood is cleaned off the player and appropriate wound protection (ie sterile dressing or bandage) applied before the player takes the field again.

1. In the event of a medical emergency, appropriate action must be taken immediately **Call 911.**
2. It is strongly recommended that **each team** have a **First Aid Kit** on the field of play and/or practice at all times. The First Aid Kit should include, but is not limited to:

- | | |
|---|---|
| <input type="checkbox"/> Antiseptic wipes | <input type="checkbox"/> Plastic bags (for ice) |
| <input type="checkbox"/> Tweezers | <input type="checkbox"/> Ace bandages |
| <input type="checkbox"/> Scissors | <input type="checkbox"/> Adhesive Tape |

- | | |
|---|---|
| <input type="checkbox"/> Band-Aids | <input type="checkbox"/> Latex gloves (several pairs) |
| <input type="checkbox"/> Roll Gauze | <input type="checkbox"/> Plastic trash bags |
| <input type="checkbox"/> Triangular Bandage | <input type="checkbox"/> Small bottles of Hydrogen Peroxide and Distilled Water |
| <input type="checkbox"/> Instant Cold Packs | <input type="checkbox"/> Tube of Antibiotic ointment |
| <input type="checkbox"/> Eye pads | <input type="checkbox"/> Spray bottle with a solution of 1:10 chlorine bleach to water. |

These items can be put into a large storage bag or plastic container and kept in the coach's bag.

C. Procedures For Injuries Pertaining to Blood

1. The first concern is always to make sure the player is not seriously injured. Never move a player that may have internal injuries. If serious injury is suspected, clear the field and summon medical help. **CALL 911**
2. If it will not hurt the player more, remove him/her from the field to the sidelines away from spectators.
3. Carry plastic bags at all times in the coach's bag. These bags should be large enough to carry a uniform and shoes. It is also recommended that rags be carried and a spray bottle containing a 1:10 solution of chlorine bleach and water for wiping up surrounding areas. All tainted grass should be sprayed with the solution. A separate bag should include all contaminated articles including bandages, rags, wipes, etc. This bag should be tied off and placed in a covered container.
4. Umpires will be instructed to not allow a player on the field with a uniform that has an unacceptable amount of blood on it. It is recommended that extra clothing be carried as a precaution. Umpires for recreational play will allow a T-shirt of the same color as the jersey to be worn should an accident happen.

D. Coaching Guidelines

It is the responsibility of the **Coach(s)** to set the standard of behavior on the field. It is also incumbent upon the **Coach(s)** to control the actions of the coaching staff, players, and spectators. Some things that are not acceptable are:

- Name-calling or harassment of a player, Umpire, coach, or spectator by anyone.
- Name-calling or harassment of a player by a coach or parent of another player, or another player, especially a teammate.
- Name-calling or harassment of the Umpire, assistant Umpire, or scorekeepers by anyone.
- Hitting or slapping a player, coach, Umpire, or spectator by anyone.
- Failure to control spectators (especially parents).
- Failure to treat injuries.
- Inadequate supervision, *e.g.*, during travel, before practice (late arrival of coach), during practices, after practice (failure to wait for late parents). It is recommended that the coach(s) have a procedure for these events and communicate this plan to the parents at the first team meeting.
- Leaving player(s) unattended.
- Failure to report signs of abuse.
- Recognizing and dealing with dangerous field and weather conditions, *e.g.*, cold, heat, lightning, high winds, etc.
- The coach(s) should have a fully stocked first aid kit.
- The coach(s) should have appropriate pre-game warm-ups and conditionin

APPENDICES

A.1 Standards of Ethical Conduct for Individuals Assigned Risk Management Responsibilities Within FCFA and Its Affiliates.

The purpose of this signed statement is to inform the FCFA Risk Manager and FCFA Risk Management Committee Members of the level of the security and confidentiality requirements of the information they will be gathering. It is not meant to reflect negatively on the Risk Manager and/or Risk Management Committee's performance; nor does it imply that the Risk Manager and/or Risk Management Committee members are suspected of any wrongdoing. As a Risk Manager and/or Risk Management Committee Members, you have an obligation to safeguard the records entrusted to you, and this document is to remind you of the security, confidentiality, and ethics required for these positions.

As a Risk Manager and/or Risk Manager Committee Member, I will:

- Represent the interests of all people served by this organization, and not favor special interests inside or outside of this organization.
- Not use my position as for personal advantage or for the advantage of my family, friends, and associates.
- Keep confidential information confidential.
- Do nothing to violate the trust of those who elected or appointed me to a position of Risk Manager, Risk Management Committee Member or of those we serve.
- Never exercise authority except when acting as I am delegated by the organization which elected or appointed me.
- Ensure that any disclosure made is in fact made only to those individuals having a legitimate need to know in the course of their official duties.
- Consult with a higher authority, *i.e.* FCFA President, FCFA Risk Manager, prior to taking any action when in doubt whether such action is in conformance with privacy and confidentiality standards.
- Disclose personal information about an individual only with the written consent or at the written request of the individual to whom it pertains. A copy of this document will be maintained by FCFA. The signature below acknowledges that you were counseled about the security and confidentiality pertaining to the responsibilities as a RMC and that you were afforded the opportunity to obtain clarification regarding the requirements of the position which you did not fully understand.

Name _____ Position _____

Signature: _____ Date _____

A.2 New Mexico Youth Softball Association Criminal Conviction Matrix for Participation Acceptability

For all categories in this risk management table, an arrest subsequent to the completion of a suspension based on any category from this table will result in an immediate suspension until the matter is adjudicated. This form is an alternative to the Alpha based form, and allows different weights to be assigned to the various levels. In addition, if a person has convictions in different categories, a numerical score can weight them. Note that multiple convictions may accrue from one incident.

10 Points equals Suspension

Type of Conviction Years Since Last Conviction TOTAL
1 2 3 4 5 6 7 8 9 10 >10

DWI. If multiple convictions, then all sentencing terms must be completed or the suspension stays in effect. Numeric score doubles if 1) a minor was in the vehicle for any conviction of a DWI offense, or 2) if any DWI conviction was aggravated. Doubling is no longer applied five years after the date of the conviction for the aggravated DWI or for the conviction where a minor was in the vehicle.

1 Conviction 4 4 4 4 0 0 0 0 0 0 0
 2 Convictions 10 10 8 8 8 8 8 0 0 0 0
 3 Convictions 10 10 10 10 10 10 10 8 8 0 0
 4+ Convictions 10 10 10 10 10 10 10 10 10 10 10

Drug Possession

1 Conviction 5 5 5 0 0 0 0 0 0 0
 2 Convictions 10 10 10 10 8 8 8 0 0 0 0
 3+ Convictions 10 10 10 10 10 10 10 10 10 10 0

Drug Manufacturing & Distribution/Sales

1 Conviction 10 10 10 10 10 10 10 10 10 0 0
 2+ Convictions 10 10 10 10 10 10 10 10 10 10 0
 Sales/Manufacturing Meth
 Or Hard Drugs 10 10 10 10 10 10 10 10 10 10 10

Grand Total