



**South Puget Sound**  
COMMUNITY COLLEGE

*SUCCESS —  
AMPLIFIED*

# **ANNUAL SECURITY REPORT 2020**



Campus Security Department  
2011 Mottman Road SW  
Olympia, WA 98512  
Building 25 Room 104  
360-596-5299

### *College Origins*

In September 1962, the Olympia School District founded the current college as Olympia Vocational Technical Institute (OVTI) in the Montgomery Ward Building in downtown Olympia. OVTI was the formalization of the adult education offerings the school district began offering in 1957 out of Olympia High School.

In 1967, with the passage of the Community College Act, OVTI joined the state community college system, merging into District 12 with the long-established Centralia College. The district purchased the land that is now the present day Olympia campus on Mottman Road in 1971.

The first permanent building, the College Center, was completed in spring 1976. That same year, OVTI became Olympia Technical Community College (OTCC) and had the unique distinction of being the only community college in the state devoted entirely to technical education.

In 1980, the Board of Trustees called for the addition of an academic transfer program. In 1982, the college awarded its first Associate of Arts degree. That same year, the college added 31 more acres of land to the campus.

In 1984, in recognition of its growth and the broadening of its mission, the college name was changed one last time, to South Puget Sound Community College.

In 1988, under House Bill 1361, SPSCC formed its own autonomous district. The new district, number 24, encompassed all of Thurston County, except the Rochester and Tenino school districts and the Thurston County portion of the Centralia School District.

In the fall 2015, the college opened a satellite center in Lacey encompassing three buildings along 6<sup>th</sup> Ave SE. Today, more than 5,000 students each quarter seek education at South Puget Sound Community College.

### *Campus Setting*

Nestled on 101 acres of lush woods, our tranquil campus is one of the most beautiful in the nation. We welcome all students from the Thurston County area and from around the world to visit our campus and join our learning community.

# Introduction

South Puget Sound Community College's Annual Security Report (ASR) complies with the United States Department of Education and the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998" (Clery Act). The report provides information on the college's crime prevention and safety policies, procedures, and guidelines. The report is prepared by the college Security Department and reviewed by the Vice Presidents of Administration, Instruction, and Student Services. The chief Human Resource Officer also reviews the report before submittal to the Department of Education. Each year by October 1 the college distributes to all current employees and students a statement of the reports availability and the exact electronic address at which the report is posted, a brief description of the report's contents, and a statement that the college will provide a paper copy of the report upon request. An online version is available on the Campus Security website at: <https://spscc.edu/campus-life/campus-security>

Printed copies are available upon request at the Security office located in building 25 room 117, 2011 Mottman Rd SW, Olympia WA 98512. This report is reviewed annually and updated statistics are provided prior to October 1st of each year. The college does not have any residence halls or on campus housing. The statistics include offenses reported to the campus security authorities or to the local law enforcement agencies that occurred on campus, in or on non-campus buildings or property including streets, sidewalks, and parking lots within the campus or immediately adjacent to and accessible from the campus. Security personnel at SPSCC are not sworn police officers and do not possess arrest powers. Officers are expected to enact their duties in accordance with local, state and federal laws. Our security team continues to work closely with local, state, & federal agencies regarding security concerns. Please remain aware of your surroundings and report any concerns to our office or the local authorities.

## REPORTING PROCEDURES

### General Procedures for Reporting a Crime or Emergency

Community members (students, faculty, staff, and guests) are encouraged to report all crimes and safety-related incidents to Campus Security in a timely manner.

To report a crime or an emergency on the campus, call 911 first and then call Campus Security at extension 5299 or, from outside the College phone system, (360) 596-5299. To report a non-emergency security or safety-related matter, call Campus Security at extension 5299 or, from outside the College phone system, (360) 596-5299. Crimes may also be reported to campus authorities listed below.

#### SPSCC Campus Security Authorities

- College Administrators
- Program Directors and Deans
- Faculty
- Athletic Director and coaches

This publication provides information about on and off-campus resources and is made available to all SPSCC community members. Some listed resources are not designated crime reporting entities and actual crimes should be reported to the SPSCC Campus Security Department. This aids in providing timely warning notices to the community and ensures inclusion in the annual crime statistics. For example, a crime that was reported only to the Thurston County Crisis Clinic would not be included in the SPSCC crime statistics. SPSCC Campus Security sends a request each year to local law enforcement authorities asking them to provide crime logs for our geographic area for inclusion in the annual disclosure of crime statistics, when they deem it appropriate.

### Notification to the SPSCC Community about Reported Crimes

These procedures outline how our institution will use emergency notification procedures to notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees. Upon notification of a serious incident that poses an on-going threat to members of the college community, SPSCC will determine and employ communication methods appropriate to the

situation to notify the affected campus community. A timely warning is issued upon confirmation of pertinent information. An alert is sent to all current registered users via Omnilert and may include information about the type of incident, location, and instructions on possible actions to consider. In conjunction with the college public relations officer and executive team, the on duty Supervisor from Safety and Security or a designee generates the alerts. Situation dependent alert notifications may also be sent out using the AlertUS system and ShoreTel phone system. Updates to the college community about any incident resulting in a timely warning may be distributed via email or posted on the College's website. The college will without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing the notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Crime Alerts may be generated for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: arson, criminal homicide, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by Campus Administrators. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other SPSCC community members and a Crime Alert would not be distributed. Campus Administrators will review reports to determine if there is an on-going threat to the community and determine if the threat requires distribution of a Crime Alert. Crime Alerts may also be posted for other crime classifications, as deemed necessary.

A daily crime log is available for review at the SPSCC Campus Security Office at Building 25, Room 117, from 7:30 a.m.–4:30 p.m. Monday through Friday, excluding holidays. The information in the crime log typically includes the case number, classification, date reported, date occurred, time occurred, general location, and disposition of each crime. The institution will upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense (statutory rape or incest), the report results of any disciplinary proceeding conducted by SPSCC against a student who is the alleged perpetrator of such crime or offense.

### **Statistical Disclosure of Reported Incidents**

Incidents reported to SPSCC Campus Security that fall into one of the required reporting classifications will be disclosed as a statistic in this annual brochure.

### **Reporting Methods Available on Campus**

For any emergency requiring police, fire, or medical aid dial 911. As soon as possible please call Campus Security at extension 5299 on any campus phone, or 360-596-5299 from an outside line. Campus Security should be contacted for all incidents occurring on campus. Campus Security officers may receive your calls directly via cell phone while on patrol. They will meet you anywhere on campus. The Campus Security office is located in the lower level of building 25, room 117.

### **Reporting a Crime to the Lacey, Olympia, or Tumwater Police Department**

Any community member reporting a crime to Campus Security has the right to report the crime to the Police Department. Security Officers provide this option and will assist the victim with that process. The number to central dispatch for all jurisdictions is 360-704-2740.

### **Off-Campus Crimes**

If the responding Police agency is contacted about criminal activity occurring off-campus involving students, they may notify SPSCC Campus Security. However, there is no official policy requiring such notification.

### **Confidential Reporting Procedures**

If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still consider making a confidential report. Personally identifying information contained in confidential reports are exempt from public record requests. With your permission, a Campus Security Officer can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. This helps the College determine where there is a pattern of crime with regard to a particular location, method, or assailant and can alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

### **Access to Campus Facilities at South Puget Sound Community College**

South Puget Sound Community College is a public institution and open to the public. Parts of both campus locations are surrounded by a fence. Campus Security is responsible for access control which includes key and key access cards. Personnel who use buildings after regular hours are asked to notify Security when they are on campus and maintain responsibility for ensuring office lights are turned off and that office doors and outside doors are secured. To facilitate the security of buildings and property, keys to offices and buildings may be obtained upon request from the Dean, Director or respective Vice President. The Mottman Road and Crosby entrances are accessible 24 hours a day. Instructional and administrative buildings on campus are generally open for use from 7:00 a.m. to 11:00 p.m. Monday through Friday. On weekends only the buildings scheduled for use will open and all other buildings remain secure.

### **Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that works to minimize hazardous conditions. Campus Security regularly patrols both campus locations and reports malfunctioning lights and other areas of concern. Other members of the College community assist when they report equipment problems or malfunctions to Facilities through the Megamations work request system.

## **CRIME STATISTICS**

**The information below provides context for crime statistics reported as part of compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).**

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the College community obtained from the following sources: SPSCC Campus Security, the City of Lacey Police Department, the Olympia Police Department, the Tumwater Police Department, and the Thurston County Sheriff's Office. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. Any incidents reported by Campus Security Authorities (as defined by federal law) will also be included in the Annual Security Report. All of the statistics are gathered, compiled, and reported to the College community via the Annual Security Report. SPSCC Campus Security submits the annual crime statistics published in this brochure to the Department of Education. The statistical

information gathered by the Department of Education is available to the public through their website.

### **Specific Information about Classifying Crime Statistics**

The statistics in this brochure are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and the relevant federal law (the Clery Act/HEOA). The number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Negligent Manslaughter, Forcible and Non-Forcible Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurred and there were three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart.

In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic. In cases involving Liquor Law, Drug Law, and Illegal Weapons violations, each person arrested is indicated in the arrest statistics.

The statistics captured under the “Referred for Disciplinary Action” section for Liquor Law, Drug Law, and Illegal Weapons violations indicates the number of people the Vice-President of Student Services representative referred for disciplinary action for violations of those specific laws. A “found responsible” designation includes referrals that result in a student charged by the college where a record of the action is kept on file.

In addition to the crime statistics that are traditionally tracked and reported, the Department of Education requests that additional statistics included in this Annual Security Report correspond to the Violence Against Women Reauthorization Act of 2013. Reported events in the categories of domestic violence, sexual assault, and stalking are included this year, and will be reported annually.

The statistics in the Hate Crime charts are separated by category of prejudice. The numbers for most of the specific crime categories are part of the overall statistics reported for each year. The only exceptions to this include the addition of Simple Assault, Intimidation, and any other crime that involves bodily injury that is not already included in the required reporting categories. If a hate crime occurs where there is an incident involving Intimidation, Vandalism, Larceny, Simple Assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

In Washington State a hate crime is defined under [RCW 9A.36.080](#):

(1) A person is guilty of a hate crime offense if he or she maliciously and intentionally commits one of the following acts because of his or her perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability:

(a) Causes physical injury to the victim or another person;

(b) Causes physical damage to or destruction of the property of the victim or another person;  
or

(c) Threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to person or property. The fear must be a fear that a reasonable person would have under all the circumstances. For purposes of this section, a "reasonable person" is a reasonable person who is a member of the victim's race, color, religion, ancestry, national origin, gender, or sexual orientation, or who has the same gender expression or identity, or the same mental, physical, or sensory disability as the victim. Words alone do not constitute a hate crime offense unless the context or circumstances surrounding the words indicate the words are a threat. Threatening words do not constitute a hate crime offense if it is apparent to the victim that the person does not have the ability to carry out the threat.

**Note: A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, sexual orientation, etc., the assault is then also classified as a hate crime.**

SPSCC ANNUAL SECURITY REPORT AND STATISTICS

| <i>Crimes reported by security / local police</i> | <i>Campus Buildings or Property ONC</i> |      |      | <i>Non Campus Buildings or Property</i> |      |      | <i>On Public Property</i> |      |      | <i>Lacey Campus</i> |      |      |
|---|---|------|------|---|------|------|---------------------------|------|------|---------------------|------|------|
|   | 2017                                    | 2018 | 2019 | 2017                                    | 2018 | 2019 | 2017                      | 2018 | 2019 | 2017                | 2018 | 2019 |
| Offense Type (includes attempts)                  |   |      |      |   |      |      |                           |      |      |                     |      |      |
| Murder/Non-Negligent Manslaughter                 | 0                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Negligent Manslaughter                            | 0                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Forcible Sex Offence                              | 0                                       | 0    | 1    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Non-Forcible Sex Offenses                         | 0                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Robbery   | 0                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Aggravated Assault                                | 0                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Burglary  | 1                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 3    | 0    |
| Arson   | 0                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Motor Vehicle Theft                               | 2                                       | 1    | 1    | 0                                       | 0    | 0    | 0                         | 0    | 1    | 0                   | 0    | 0    |
| Statistics not required by law                    |   |      |      |   |      |      |                           |      |      |                     |      |      |
| Minor Assault                                     | 0                                       | 0    | 1    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Larceny/Theft                                     | 3                                       | 2    | 3    | 0                                       | 0    | 0    | 0                         | 1    | 0    | 0                   | 1    | 0    |
| Vandalism   | 2                                       | 2    | 1    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 1    | 0    |

**VAWA Offenses Reporting table**

| <i>Crimes reported by security / local police</i> | <i>Campus Buildings or Property ONC</i> |      |      | <i>Non Campus Buildings or Property</i> |      |      | <i>On Public Property</i> |      |      | <i>Lacey Campus</i> |      |      |
|---|---|------|------|---|------|------|---------------------------|------|------|---------------------|------|------|
|   | 2017                                    | 2018 | 2019 | 2017                                    | 2018 | 2019 | 2017                      | 2018 | 2019 | 2017                | 2018 | 2019 |
| Offense Type (includes attempts)                  |   |      |      |   |      |      |                           |      |      |                     |      |      |
| Domestic Violence                                 | 0                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Dating Violence                                   | 0                                       | 0    | 1    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |
| Stalking  | 0                                       | 0    | 0    | 0                                       | 0    | 0    | 0                         | 0    | 0    | 0                   | 0    | 0    |

**Violations of Weapons, Drug, and Liquor Laws - Arrests and Disciplinary Referrals**

|                | 2017     |           | 2018     |           | 2019     |           |
|----------------|----------|-----------|----------|-----------|----------|-----------|
|                | Arrests  | Referrals | Arrests  | Referrals | Arrests  | Referrals |
| <b>Weapons</b> | <b>0</b> | <b>0</b>  | <b>0</b> | <b>0</b>  | <b>0</b> | <b>0</b>  |
| <b>Drugs</b>   | <b>0</b> | <b>0</b>  | <b>0</b> | <b>0</b>  | <b>0</b> | <b>0</b>  |
| <b>Alcohol</b> | <b>0</b> | <b>0</b>  | <b>0</b> | <b>0</b>  | <b>0</b> | <b>0</b>  |

## Clery Hate Crime Statistics

2019

| Clery Act Reportable Offenses | Race     | Gender   | Religion | Sexuality | Ethnicity | Disability |
|-------------------------------|----------|----------|----------|-----------|-----------|------------|
| MURDER/NONNEGLIGENT           | 0        | 0        | 0        | 0         | 0         | 0          |
| NEGLIGENT MANSLAUGHTER        | 0        | 0        | 0        | 0         | 0         | 0          |
| SEX OFFENSES: FORCIBLE SEX    | 0        | 0        | 0        | 0         | 0         | 0          |
| SEX OFFENSES: NONFORCIBLE     | 0        | 0        | 0        | 0         | 0         | 0          |
| ROBBERY                       | 0        | 0        | 0        | 0         | 0         | 0          |
| AGGRAVATED ASSAULT            | 0        | 0        | 0        | 0         | 0         | 0          |
| BURGLARY                      | 0        | 0        | 0        | 0         | 0         | 0          |
| MOTOR VEHICLE THEFT           | 0        | 0        | 0        | 0         | 0         | 0          |
| ARSON                         | 0        | 0        | 0        | 0         | 0         | 0          |
| ANY OTHER CRIME INVOLVING     | 0        | 0        | 0        | 0         | 0         | 0          |
| <b>Totals</b>                 | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b>  | <b>0</b>  | <b>0</b>   |

2018

| Clery Act Reportable Offenses | Race     | Gender   | Religion | Sexuality | Ethnicity | Disability |
|-------------------------------|----------|----------|----------|-----------|-----------|------------|
| MURDER/NONNEGLIGENT           | 0        | 0        | 0        | 0         | 0         | 0          |
| NEGLIGENT MANSLAUGHTER        | 0        | 0        | 0        | 0         | 0         | 0          |
| SEX OFFENSES: FORCIBLE SEX    | 0        | 0        | 0        | 0         | 0         | 0          |
| SEX OFFENSES: NONFORCIBLE     | 0        | 0        | 0        | 0         | 0         | 0          |
| ROBBERY                       | 0        | 0        | 0        | 0         | 0         | 0          |
| AGGRAVATED ASSAULT            | 0        | 0        | 0        | 0         | 0         | 0          |
| BURGLARY                      | 0        | 0        | 0        | 0         | 0         | 0          |
| MOTOR VEHICLE THEFT           | 0        | 0        | 0        | 0         | 0         | 0          |
| ARSON                         | 0        | 0        | 0        | 0         | 0         | 0          |
| ANY OTHER CRIME INVOLVING     | 0        | 0        | 0        | 0         | 0         | 0          |
| <b>Totals</b>                 | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b>  | <b>0</b>  | <b>0</b>   |

2017

| Clery Act Reportable Offenses | Race     | Gender   | Religion | Sexuality | Ethnicity | Disability |
|-------------------------------|----------|----------|----------|-----------|-----------|------------|
| MURDER/NONNEGLIGENT           | 0        | 0        | 0        | 0         | 0         | 0          |
| NEGLIGENT MANSLAUGHTER        | 0        | 0        | 0        | 0         | 0         | 0          |
| SEX OFFENSES: FORCIBLE SEX    | 0        | 0        | 0        | 0         | 0         | 0          |
| SEX OFFENSES: NONFORCIBLE     | 0        | 0        | 0        | 0         | 0         | 0          |
| ROBBERY                       | 0        | 0        | 0        | 0         | 0         | 0          |
| AGGRAVATED ASSAULT            | 0        | 0        | 0        | 0         | 0         | 0          |
| BURGLARY                      | 0        | 0        | 0        | 0         | 0         | 0          |
| MOTOR VEHICLE THEFT           | 0        | 0        | 0        | 0         | 0         | 0          |
| ARSON                         | 0        | 0        | 0        | 0         | 0         | 0          |
| ANY OTHER CRIME INVOLVING     | 0        | 0        | 0        | 0         | 0         | 0          |
| <b>Totals</b>                 | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b>  | <b>0</b>  | <b>0</b>   |

Statistics Reported by SPSCC

The column “On-Campus (ONC)” includes crime statistics from incidents that were reported to Campus Security. If an incident was reported to both Campus Security and the Police, the statistics would be counted under the “On-Campus (ONC)” column. The crime statistics provided by the Lacey, Olympia and Tumwater Police are provided based on the crime definitions in the Revised Codes of Washington. Crime statistics for the categories of Minor Assault, Larceny and Vandalism are not required by law, but are still provided in the interest of informing the community about the most frequent crimes that occur at SPSCC. Campus Security requests yearly statistics from local Police departments and compiles any reports from Campus Security Authorities.

Statistics under the heading of “Referred for Disciplinary Action” include those individuals referred for student conduct action through the Office of Student Services. The numbers include incidents reported via Campus Security incident reports and those reports provided directly to the Vice president of Student Services from other members of the SPSCC community.

### **Sex Offender Registry**

The federal Campus Sex Crimes Prevention Act was enacted on October 28, 2000. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

In the State of Washington (Revised Code of Washington (RCW) 9A.44.130) any adult or juvenile residing whether or not the person has a fixed residence, or who is a student, is employed, or carries on a vocation in this state who has been found to have committed or has been convicted of any sex offense or kidnapping offense, or who has been found not guilty by reason of insanity under chapter 10.77 (RCW) of committing any sex offense or kidnapping offense, shall register with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation, or as otherwise specified in this section. Where a person required to register under this section is in custody of the state Department of Corrections, the state Department of Social and Health Services, a local division of youth services, or a local jail or

juvenile detention facility as a result of a sex offense or kidnapping offense, the person shall also register at the time of release from custody with an official designated by the agency that has jurisdiction over the person. In addition, any such adult or juvenile who is admitted to a public or private institution of higher education shall, within ten days of enrolling or by the first business day after arriving at the institution, whichever is earlier, notify the Sheriff of the county of the person's residence of the person's intent to attend the institution. The sheriff shall notify the institution's department of Campus Security and shall provide that department with the person's: name; address; date and place of birth; place of employment; crime for which convicted; date and place of conviction; aliases used; social security number; photograph; and fingerprints.

In the State of Washington, RCW 9A.44.138 requires that information about registered sex offender students (Level II), shall be provided to every teacher of the student and to any other personnel who supervises the student or for security purposes should be aware of the student's record. SPSCC's guidelines on sex offender notification for offenders in the Level III status require that the same requirements but include public posting in the student's program building and on information bulletin boards. In certain Level III offender cases, the Campus Security Director in consultation with the Vice President for Student Services can determine if additional public notification is necessary. In these instances, a college alert may be used.

The SPSCC community may conduct their own sex offender searches at the links below:

**Thurston County Sex Offender Search**

<http://www.icrimewatch.net/index.php?AgencyID=54490>

**State of Washington Sex Offender Search**

<http://www.icrimewatch.net/index.php?AgencyID=54528>

## Information for Victims

If you were just assaulted:

- Assure your safety – get to a place that is safe.
- If you are in immediate danger, call 911.
- Contact someone who can help you. Remember, what happened *is not your fault*, and *you will recover*. Help could be an advocate from a Sexual Assault Center, The police/911, Campus Security 360.596.5299 or a trusted friend or family member.
- If possible, preserve evidence of the attack;
- Try not to urinate, don't bathe, brush your teeth, or change or destroy your clothing; your clothes are also evidence.
- If the assault took place in your home, do not rearrange and/or clean up anything.
- As soon as you are safe, go to a hospital Emergency Room. Even if you do not think you have any medical issues as a result of the attack, it is best to have a doctor check that there are no unseen injuries, to discuss emergency contraception, etc.

The hospital can sometimes collect evidence up to 72 hours after an attack although an immediate exam is most likely to gather the best evidence. Evidence collected does not have to be included in a report to police. Crime Victims Compensation covers the cost of these exams. It is not necessary to make a police report in order to receive this medical care. You do not have to make a decision about reporting to police at the time of the exam. The hospital can keep the evidence and you can decide later. As soon as you are able, write down every detail that you can remember.

Following an incident, victims are encouraged to make a report to campus security and local police. This action does not obligate prosecution, but it does make legal action possible if the decision to prosecute is made later. The earlier an incident is reported, the easier it is to collect valuable evidence.

College disciplinary action, criminal prosecution and civil suits are all options available to victims of sexual assault. Campus Security will report all incidents of sexual assault to the college's Title IX Coordinator. Both the complainant and respondent will have an opportunity to be interviewed by a Title IX Investigator. The Title IX Coordinator will review the facts of the investigation, make a determination on the alleged offenses, and the college will take appropriate action based on the determination(s). Both parties will be notified of the findings after an investigation is complete.

## Prevention programs

**Programs to prevent dating violence, domestic violence, sexual assault, and stalking** means comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that—

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

**Primary prevention programs** means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

**Awareness programs** refers to community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

The primary prevention and awareness programs developed for all incoming students and employees include important information about the following:

- A statement that SPSCC prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking, also referred to as sexual misconduct;
- Definitions of dating violence, domestic violence, sexual assault, and stalking from the Violence Against Women Act (VAWA) and the state of Washington;
- The definition of consent in the state of Washington;
- Definitions of nonconsensual sexual intercourse and nonconsensual sexual contact as used by the institution;
- Safe and positive options for bystander intervention;
- Information about risk reduction;
- SPSCC's commitment to programs that prevent dating violence, domestic violence, sexual assault, and stalking;
- Procedures that SPSCC follows when one of these crimes is reported; and Procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking.

## **Dating Violence**

SPSCC provides on-campus security, referral services, education, and victim services to combat violence against all persons. “Dating violence” is defined as violence committed by a person “who is or has been in a social relationship of a romantic or intimate nature with the victim;” and “where the existence of such a relationship shall be determined based on a consideration of...the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship” 20 U.S.C. 1152(f) (1).

The college Counseling and Resource Center offers support for individuals who have experienced dating violence which may include crisis intervention, personal counseling, support groups, and/or resource and referral assistance. Counseling is also available for friends and partners of people who have experienced this kind of violence.

Our staff may refer students and community members to available resources in Thurston County to provide services for victims of domestic violence to include providing emergency shelter and comprehensive, confidential services to all victims of domestic abuse.

### **Domestic Violence Team Advocates**

Advocates for victims of Felony, Gross Misdemeanor, Misdemeanor, and city of Lacey Domestic Violence crimes Thurston County Prosecuting Attorney’s Office

Felony/Superior Court Domestic Violence: 360-754-2989

Misdemeanor/District Court Domestic Violence: 360-786-5270

City of Lacey/District Court Domestic Violence: 360-786-5540 x7562

### **Special Victims Team Advocate**

Advocate for victims of sexual assault and crimes against children.

Thurston County Prosecuting Attorney’s Office

Child Justice & Advocacy Center (360) 754-2899

The Counseling and Resource Center does not limit its services to those who are victims of sexual assault. It is committed to enhancing the development of students by supporting, educating, and collaborating with them as they learn to make healthy choices. The college supports the following dating bill of rights:

## Dating Bill of Rights

### **I have the right:**

- To ask for a date.
- To refuse a date.
- To suggest activities.
- To refuse any activity.
- To have my own feelings and express them.
- To have my values and rights respected.
- To tell my partner when I need affection.
- To refuse attention.
- To have friends and space aside from my partner.

### **I have the responsibility:**

- To determine my limits and values.
- To respect the limits of others.
- To communicate clearly and honestly.
- To not violate the limits of others.
- To ask for help when I need it.
- To be considerate.

A victim of sexual assault or dating violence has the right, in addition to filing charges through the criminal justice system, to file a complaint with the Title IX Coordinator, relative to acts of violence toward them or another committed by college employees or student(s). For incidents involving students, it does not matter whether the act of violence occurred on or off-campus since the college reserves the right to hold students accountable for certain types of off-campus behavior. Disciplinary action will result if a student or employee's behavior jeopardizes the educational atmosphere or mission of the institution. Examples of such off-campus behavior would include but not be limited to crimes of violence, sexual assault and/or alcohol or drug violations.

***The Washington State Definition of Consent*** - "Consent" means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact."

## Bystander Intervention

**Bystander intervention** means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Not everyone will respond to a situation in the same way. Find an approach that feels right for you. Make sure to assess the danger in a situation, and know when to get support for safety reasons. There are three D's of bystander intervention: **Direct, Distract, and Delegate.**

**Direct.** If you decide to take direct action, you could call out the bad behavior or appeal to the friendship you have with the person. Make it clear that what the person is doing is not OK. Be direct and use "I" or "We" statements. You could say, "It makes me uncomfortable when...", "Hey, that's not cool," or "We don't do that here. When talking to a friend, frame your concern in a caring and non-critical way. You could say something like, "It's probably not your intention, but I think what you are saying is making people feel unsafe. Maybe we could go talk about it privately."

**Distract.** If you would rather be a distraction, this can be a good way to give a target of violence time to get away. If you see someone harassing another person, tell them their car is getting towed. Or, try staring. Make sure that the offender knows that you are a witness. Sometimes a long, silent stare may be all that is necessary to stop their behavior.

**Delegate.** Even delegating responsibility to others is a way to be a safe and active bystander. Taking action can be easier with support. You could ask a friend to help you with a difficult conversation. Or you could call a trusted authority for help. Make sure to assess the situation for safety and decide a course of action that will minimize harm.

### Risk Reduction

**Risk reduction** means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

SPSCC's messaging campaign known as **See Something Say Something** is a risk reduction strategy to increase the likelihood that victims will come forward, that bystanders will intervene and report crimes, and to decrease the number of sexual misconduct violations of the student code of conduct. Victims are encouraged to access resources both on-campus and off-campus, such as counseling and advocacy, in order to empower them to make decisions about options for reporting and victim services. Campus partners such as Safety, Security, and Emergency Preparedness, Title IX, Student Conduct, and the Counseling and Resource Center promote this campaign through posters, training events, and presentations.

## **Proceeding with a formal nonacademic complaint**

(a) Office to address: Complaints regarding an instructional employee, procedure or rule shall be addressed to the vice-president for instruction or designee. Complaints regarding an administrative services employee, procedure or rule shall be addressed to the vice-president for administrative services or designee. Complaints regarding a student services employee, procedure or rule shall be addressed to the vice president for student services or designee. Complaints regarding all other employees, procedures or rules shall be addressed to the chief human resources officer. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and both the accuser and the accused must be informed of the outcome of any college disciplinary proceeding brought alleging a sex offense (34CFR section 668.46(b) (2012).

(b) The vice-president/chief human resources officer/designee shall discuss with the student the concerns and options available to resolve the concern. If the student should elect to proceed with the formal complaint the student must outline in writing the complaint, identifying dates and persons involved.

(c) The student's written complaint shall be forwarded to the employee concerned who shall provide a written response to the vice-president/chief human resources officer within ten calendar days.

(d) The vice-president/chief human resources officer/designee shall provide a written response to the student within ten calendar days of the receipt of the employee response or the complaint concerning a procedure or rule.

(e) Action taken by the vice-president/chief human resources officer/designee may be appealed to the president in writing within ten calendar days. The decision of the president is final.

Discrimination complaints: Students who believe they have been discriminated against, including sexual harassment, may pursue an institutional complaint under the procedures outlined in the South Puget Sound Community College nondiscrimination policy and discrimination complaint/grievance procedures and/or may pursue other remedies provided by law. Procedures for filing discrimination complaints, other than those related to disability discrimination or denial of accommodations, may be found at <https://spscc.edu/policy>

**132X-60-100 Disciplinary proceedings.**

(1) Initiation of disciplinary action. Alleged violations shall be reported in writing to the vice-president for student services within ten calendar days of occurrence.

(2) Notice requirements. Any student charged with an alleged violation shall receive written notice from the office of the vice-president for student services delivered to the student personally or by registered or certified mail to the student's last known address no later than two calendar weeks after a reported violation. The notice shall not be ineffective if presented later due to student's absence. The notice to the accused student shall:

(a) Inform the student what provision(s) of the student code he/she is charged with allegedly violating; and

(b) Specify the exact time and date the student is required to meet with the vice-president for student services; and

(c) Inform the student that failure to appear at the appointed time to meet with the vice-president for student services may subject the student to suspension from the institution for a stated or indefinite period of time.

(3) Meeting with the vice-president for student services.

(a) At the meeting with the vice-president for student services the student shall be informed of the provision(s) of the code of student rights and responsibilities that are involved, and that the student may appeal any sanction imposed by the vice-president for student services as outlined in WAC 132X-60-105.

(b) After considering the evidence in the case and, as appropriate, interviewing the student or students involved, the vice-president for student services may take any of the following actions:

(i) Terminate the proceedings exonerating the student or students; or

(ii) Impose disciplinary sanctions as provided for in WAC 132X-60-120.

**Standards of EVIDENCE AND BURDEN OF PROOF**

Proceedings Not Civil or Criminal. Hearing officers should be guided in their evidentiary and procedural rulings by the principle that disciplinary proceedings are neither civil nor criminal but are sui generis hearings.

(b) Burden of Proof. Disciplinary counsel has the burden of establishing an act of misconduct by a clear preponderance of the evidence and can show that a particular fact or event was more likely than not to have occurred.

(c) Proceeding Based on Criminal Conviction. If a formal complaint charges a respondent with an act of misconduct for which the respondent has been convicted in a criminal proceeding, the court record of the conviction is conclusive evidence at the disciplinary hearing of the respondent's guilt of the crime and violation of the statute on which the conviction was based.

Rules of Evidence. Consistent with [RCW 34.05.452](#) the following rules of evidence apply during disciplinary hearings:

- (1) Evidence, including hearsay evidence, is admissible if in the hearing officer's judgment it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. The hearing officer may exclude evidence that is irrelevant, immaterial, or unduly repetitious;
- (2) If not inconsistent with subsection (1), the presiding officer shall refer to the Washington Rules of Evidence as guidelines for evidentiary rulings;
- (3) Documentary evidence may be admitted in the form of copies or excerpts, or by incorporation by reference.
- (4) Official notice may be taken of (a) any judicially cognizable facts; (b) technical or scientific facts within the hearing officer's or panel's specialized knowledge; and (c) codes or standards adopted by an agency of the United States, of this state, or of another state, or by a nationally recognized organization or association. Parties shall be notified either before or during hearing, or by reference in preliminary reports or otherwise, of the material noticed and the sources thereof, including any staff memoranda and data, and they shall have an opportunity to contest the facts and material noticed. A party proposing that official notice be taken may be required to produce a copy of the material to be noticed.
- (e) APA as Guidance. The evidence standards in this rule are based on the evidence provisions of the Washington Administrative Procedures Act, which, when not inconsistent with these standards, should be looked to for guidance. "Shall" has the meaning in this rule ascribed to it in the APA.

## Important Campus and Community Services

### Resources for Support and Assistance:

The SPSCC Counseling Center, located in the Center for Student Success (Building 22 Room 260) on the Mottman campus, provides counselors registered in the state of Washington to provide short-term personal and mental health counseling services. When students have issues or concerns that require long-term counseling, counselors assist students with initial referrals to community resources and may also consult with community agencies. College counselors are aware of the process to enable persons they are counseling to report crimes on a voluntary confidential basis. Brochures listing community resources are available in the Counseling Center.

The Counseling Center is open

**M-F 8:00 a.m. – 4:30 p.m. and can be reached at (360) 596-5261 or by email at [counseling@spscc.edu](mailto:counseling@spscc.edu).**

*Other resources*

- Campus Security: 596-5299
- Diversity and Equity Center: 596-5383, 2<sup>nd</sup> Floor Bld 22
- Vice President for Student Services: 596-5231
- Chief Human Resources Officer: 596-5360
- Safeplace (Sexual Assault & Domestic Violence Services) 24-Hours Crisis Line 360-754-6300
- Crisis Clinic (24 Hours) 360-586-2800, <http://crisis-clinic.org>

Counseling, Security, Human Resources, and Student Services also maintain a list of community resources available for students, faculty, and staff. The list for those resources is also available at:

<http://www.crisis-clinic.org/pdf/CommunityServicesListThurston.pdf>

<http://www.crisis-clinic.org/pdf/CommunityServicesListMason.pdf>

## Emergency Response and Notification

The SPSCC Emergency Response Plan includes information designed to provide guidance to the campus community. Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on the campus, SPSCC will determine and employ communication methods appropriate to the situation to notify the affected campus community. An emergency notification may include information about the type of incident, location, and instructions on possible actions to consider. Certain buildings on campus may have volunteers identified as Evacuation Coordinators. These volunteers assist building occupants in response to emergency situations and aid in evacuation. Custodial, Facilities, and Campus Security personnel make up the campus wide Emergency Response Team. During an emergency they can assist in evacuation, direct first responders, and

coordinate the College's response. College departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility.

The College conducts tests of the emergency notification systems on campus each year. Additionally one drill per quarter is scheduled which may include unannounced drills. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. SPSCC Campus Security Officers receive training in Incident Command and will assist the Incident Commander during emergencies on campus. General information about the emergency response and evacuation procedures for SPSCC are publicized each year as part of the institution's Clery Act compliance efforts, and that information is available on the SPSCC Campus Security website at:

<https://spscc.edu/sites/default/files/imce/campus-life/security/Emergency-Response-Guide.pdf>

SPSCC community members are encouraged to notify Campus Security of any situation on campus that constitutes an emergency or dangerous situation which poses an immediate or ongoing threat to the health and safety of students and/or employees on campus. Campus Security has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation.

### **Emergency Procedures**

Evacuation drills are coordinated by Campus Security during each academic school year. These drills provide education and information on the locations of nearest the emergency exits and guidance about building evacuation or sheltering in place. Evacuation Area maps are posted inside campus building and direct occupants to nearby assembly areas. Evacuation drills and materials prepare building occupants for an organized evacuation in case of a fire or other emergency. During the drill, occupants can familiarize themselves with the location of exits and the sounds of the fire alarm. The process also provides the College an opportunity to test the operation of fire alarm system components.

Students receive information about evacuation and shelter-in-place procedures during the first week of fall quarter. SPSCC will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

## Information

The college website provides an opportunity to sign up for campus alerts through Omnilert: <https://spscc.omnilert.net/subscriber.php>

On the SPSCC main Campus, Campus Security provides a courtesy transport service for college members who request assistance. This service is offered during the academic school hours. This service can be requested by calling (360) 596-5299 or extension 5299 from an on-campus telephone. An Officer can meet the person and escort them to their vehicle or next class.

## Educational Prevention Programs

The Campus Security team upon request will conduct crime prevention and safety awareness presentations to various community groups, including students and employees of the College. The following information is available: crime prevention and security awareness, fire safety, emergency response and evacuation procedures, and sexual assault prevention. The Security Department communicates with students and staff regularly on safety and security issues. SPSCC faculty are asked to show basic videos on emergency preparedness and Active Shooter to all students during the first week of fall quarter. The videos provide information on steps to consider in preparation for an emergency event.

SPSCC is dedicated to providing a safe environment for people to learn and work. In furtherance of that goal, quarterly campus emergency drills help prepare students, faculty, and staff for emergency procedures. In 2019 SPSCC conducted several exercises/events which included the following:

| Date       | Topic/Event   |
|------------|---|
| 2/08/ 2019 | Campus Closure Inclement Weather                                |
| 6/07/2019  | Power outage campus wide. Omnilert notification sent            |
| 7/31/2019  | Lockdown and Timely Alert Suspicious person                     |
| 8/27/2019  | System test of Omnilert   |
| 9/23/2019  | Fall quarter emergency preparedness and Run, Hide, Fight videos |
| 10/17/2019 | Great American Shakeout; Drop, Cover, & Hold                    |
|            |   |
|            |   |

## **Drug and Alcohol Abuse and Prevention Program**

In concert with the Federal Drug-Free School and Communities Act of 1989, the College has implemented a drug and alcohol abuse and prevention program which informs students and employees of the risks and penalties associated with the possession and use of illicit drugs and alcohol at the College, availability of treatment programs, and the sanctions the College will impose against an individual found to have violated the College's standard of conduct in this regard. The college prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.

South Puget Sound Community College is committed to an ongoing substance abuse prevention, education and assistance program and intends to provide a drug free, healthful, safe, and secure workplace and environment.

### **Applicable Legal Sanctions**

Any violation of local, state, or federal law regarding the unlawful possession, use or distribution of illicit drugs or alcohol may result in referral for prosecution and in the imposition of penalties, including community service hours, fines, forfeiture of personal or real property, and/or incarceration up to life imprisonment. The College will impose sanctions consistent with local, state and federal law and regulations adopted thereunder on students and employees found to have violated the foregoing statement. Such sanctions could include but are not limited to, completion of an appropriate rehabilitation program, expulsion from the college, termination of employment, and referral to appropriate authorities for prosecution.

### **Available Assistance Treatment Programs**

The College recognizes drug dependency and/or use of illicit drugs to be an illness and a major health concern. The College also recognizes drug and alcohol abuse as a safety and security problem. There are a number of resources available to students seeking assistance in dealing with such problems. They include:

- The [Counseling Center](#) at SPSCC
- Local hospitals
- Resources related to drug and alcohol dependency can be found online at the Health Care Authority [Substance use treatment page](#).

Employees may take advantage of these services as well as the services provided to employees through the [Washington State Employee Assistance Program](#) phone toll free: 1.877.313.4455 or their health insurance plan where applicable.

#### **References:**

[Washington State Employee Assistance Program](#)

## **SEXUAL HARASSMENT**

### **Acts Prohibited**

All forms of sexual harassment to include sexual assault are violations of the South Puget Sound Community College's Code of Student Conduct and are violations of policy for employees of SPSCC.

### **Acts Defined**

Sexual Harassment is defined as: unwelcome sexual advances, requests for sexual favors, other verbal or physical conduct of sexual favors, or other verbal or physical conduct of the sexual nature of employees toward students, supervisors toward supervisees, students toward students, students toward employees, or employees toward employees.

### **Reporting**

The College Title IX coordinator has oversight for all reports of sexual harassment that occur at SPSCC. Victims or witnesses of sexual harassment can report these acts to Campus administrators, the Human Resource Office, Counselors, and Campus Security. All employees are encouraged to report instances of sexual harassment.

### **Process**

Sexual Harassment complaints involving students will be forwarded to Human Resources. Upon conclusion of a Title IX investigation, the findings of the investigation may be forwarded to Student Success Services for possible violation of the Code of Student Conduct processing. Victims, witnesses, and evidence are subject to the rules established in SPSCC's Code of Student Conduct.

### **Education and Awareness**

SPSCC Human Resources provides sexual harassment training and resources during the school year in compliance with requirements.

### **Reasonable Accommodation**

Victims of sexual harassment may be eligible for assistance in changing academic and work study employment status on campus. Reasonable accommodations may be sought through the college. Additionally IT services can facilitate an "opt out" of the public directory.

## **DOMESTIC VIOLENCE**

### **Acts Prohibited**

Domestic Violence, Dating Violence, and Stalking are criminal acts and constitute violations of the Code of Student Conduct should they occur on campus or in conjunction with any sanctioned/organized activity off campus.

### **Acts Defined**

The Revised Code of Washington (RCW) is the written law in Washington State. The RCW provides definitions of criminal conduct provided in the appendix section of this document.

### **Reporting**

Victims of Domestic Violence, Dating Violence or Stalking are encouraged to seek assistance by immediately calling 911. If the domestic violence related event occurred on campus, victims are encouraged to contact Campus Security after calling 911. Campus Security will assist victims in reporting to law enforcement. Victims are also encouraged to contact domestic violence advocacy organizations to assist them in navigating any criminal proceedings, obtaining permanent court orders of protection, support, and in formulating safety strategies going forward.

### **Court Orders**

Victims of domestic violence related offenses are encouraged to seek a No-Contact Order through the prosecutor's office. Victims may also seek a civil Order of protection. Victims can seek assistance through victim advocacy organizations by contacting Thurston County's Crisis line or Washington State Domestic Violence Hotline in obtaining court orders. Once an order has been obtained, victims should contact Campus Security and provide them with a copy of the order. Campus Security will contact the law enforcement if the offender is seen or contacted on campus.

### **Counseling, Education, and Emotional Support**

South Puget Sound Community College provides counseling support for victim(s) of domestic or dating violence. Persons may be referred to off-campus Advocacy services at the 24-Hour Sexual and Domestic Violence Help Line (360) 754-6300. Additional information can be found here: <https://wscadv.org/>

Additional Resources include:

Thurston County Crisis Line (360) 586-2800

Washington State Domestic Violence Hotline: 1-(800) 562-6025

Olympia Police Department- Victim Assistance Program: (360) 753-8408

### **Reasonable Accommodation**

Victims of domestic and dating related offenses may be eligible for assistance in changing academic and work study employment status on campus. Reasonable accommodations may be sought through the college. Additionally IT services can facilitate an "opt out" of the public directory.

## APPENDIX

### **Domestic Violence/Dating Violence-Definitions**

#### Domestic violence

(a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

"Family or household members" means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

"Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

#### Stalking

(1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime: (a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and (b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and (c) The stalker either: (i) Intends to frighten, intimidate, or harass the person; or (ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

(2)(a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and (b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed, private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

(4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed, constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.(b) A person who stalks another is guilty of a class B felony if any of the following applies: (i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order; (ii) the stalking violates any protective order protecting the person being stalked; (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the person; (v)(A) the stalker's victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

### Sex Offenses—Definitions

As per the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

### Sex Offenses—Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

### Forcible Rape

The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

### Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### Sexual Assault with an Object

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### Forcible Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### Sex Offenses—Non-Forcible

Unlawful, non-forcible sexual intercourse

### Incest

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

### Statutory Rape

Non-forcible sexual intercourse with a person who is under the statutory age of consent

## Uniform Crime Reporting Handbook- Crime Definitions

**Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Hate crime:** A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

**Hierarchy Rule:** A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joy riding).

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Reasonable person:** means a reasonable person under similar circumstances and with similar identities to the victim.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or causing the victim fear.

**Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations:** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

### **Offense Definitions relating to Hate/Bias Related Crime Statistics as per the UCR Hate Crime Reporting Guidelines**

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious serve or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, sever laceration or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

### **Geography definitions from the Clery Act**

**On-Campus-Defined as:** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

**Non-Campus Building Or Property-Defined as:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property-Defined as:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. Public property does not include any businesses or any private homes (i.e., businesses or homes not owned or controlled by your institution) even if they immediately border your campus.



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