



# **SAN DIEGO STATE UNIVERSITY POLICE DEPARTMENT**



## **2016 SAFETY AND SECURITY REPORT**

### **IMPERIAL VALLEY CAMPUS**

## ***A Message from the Chief of Police***

*Welcome to San Diego State University Imperial Valley Campus! I would like to welcome all new and returning faculty, staff, and students to San Diego State University Imperial Valley Campus. As members of the IV campus community we all share the responsibility of maintaining a safe and healthy environment. Your safety while at the SDSU Imperial Valley Campus and within the university community is the primary concern of the University Police.*

*The San Diego State University Police Department practices the philosophy of Community Oriented Policing and is operational 24 hours a day, seven days a week providing law enforcement services.*

*Our police officers and dispatchers meet or exceed the standards established by the State of California, Peace Officers Standards and Training. Our personnel are uniquely trained to provide the finest law enforcement services to a diverse University community.*

*This report is available to the public to provide statistical information required by law. If you have questions or concerns regarding any information in this brochure, please contact the University Police at (619) 594-1991, or come by the Public Safety Building on the main campus, located at 55th and Remington Road.*

Sincerely,

Joshua Mays  
Chief of Police

### ***The mission of the Department of Public Safety is to:***

- Protect persons through proactive law enforcement and promote a safe and secure environment.
- Address issues that impede or disrupt the orderly operation of the academic process.
- Protect University property by initiating police action (enforcing laws/regulations, arresting offenders) and the education of the community concerning crime prevention methods.
- Mitigate liability and hazards to the University.

## ***Department values are:***

### ***Service to the Campus Community***

We value the opportunity to provide service in a manner which is fair, courteous, responsive and efficient. An attitude of respect for the protection of the worth, dignity, and the rights of all we serve is the foundation of our department.

### ***Integrity***

We value candor, honesty and ethical behavior in the members of our department. We are committed to uphold our positions of trust by maintaining the highest ethical standards as set forth in the law enforcement code of ethics.

### ***Responsibility – Accountability***

We value the need for effective use of our resources and openness in our department's communication with our University community. We will be responsible for our actions and ensure that our behavior earns the support and trust of all segments of the public.

### ***Professionalism***

We value the spirit of professionalism, having a clear sense of commitment, perspective and direction. It is developed by creating an empowering environment that encourages teamwork, innovation and constant evaluation of ourselves.

### ***Excellence***

We strive for personal and professional excellence. We have a commitment to improve our University community and earn their trust, respect and support through active partnership, involvement and service.

## ***Safety on Campus, Our Community***

San Diego State University strives to:

- Create and maintain an environment for learning that promotes respect for and appreciation of scholarship, freedom, human diversity, and the cultural mosaic of the San Diego Community;
- Promote excellence in instruction and intellectual accomplishment and provide broadly accessible higher education for residents of the region and state, as well as the nation and the world.

The University Police participates in delivering the University mission and strives to create a safe environment conducive to academic excellence. Even though the University Police works closely with neighboring Police Agencies and employs security measures to reduce and prevent crime, we believe security is everyone's responsibility, and we need your assistance.

SDSU IVC is a community of approximately 1000 students, faculty and staff located in the City of Calexico and the City of Brawley. The University contracts with a private security company to provide security services at both sites of the IV campus. We maintain a collaborative and reporting relationship with the Calexico Police Department and the Imperial County Sheriff's Office and do not employ University police officers at the IV campus. We do stay in contact with the Calexico Police Department, the Imperial County Sheriff's Office and contracted private security and will intervene if a security issue arises.

## ***University Police: Your Community Policing Agency***

Safety and security are coordinated by the University Police Department, located in the Public Safety building on the main campus (55th and Remington Road). The Department has a force of 33 sworn police officers and 35 non-sworn support employees. The University Police Department has primary police jurisdiction on University property, and is responsible for reporting and investigating all crimes and traffic accidents, responding to medical emergencies, enforcement of state laws and local ordinances, and all other incidents requiring police assistance.

University police officers are graduates of the California Peace Officers Standards Training Academy with full arrest powers throughout the state. They undergo continued training to upgrade their skills, which include first aid and CPR. Many of the Department's managers and supervisors have attended the national FBI Academy and the California Peace Officers Standards and Training Command College. The patrol division conducts foot, vehicular and bicycle patrols on the main campus and in the residential communities, 24 hours a day. In addition to the patrol division, the University Police Department has an investigations unit, records unit, crime preventions unit, communications center and parking enforcement unit. Our communications center is staffed 24 hours a day by state certified police dispatchers. It includes a 9-1-1 call center and communications system capable of radio communication with all San Diego County law enforcement agencies. Our computer systems allow officers, detectives, dispatchers and records personnel to access federal, state and local law enforcement databases and enter case information into those systems.

Through a mutual aid agreement, per a written memorandum of understanding, the Calexico Police Department will respond to all law enforcement emergencies and investigate potential criminal activities that occur at the IV main campus and surrounding area, and the Imperial County Sheriff's Office will respond to all law enforcement emergencies and investigate potential criminal activities that occur at the Brawley campus. Criminal cases are forwarded to the Imperial Valley District Attorney's Office or the Calexico City Attorney's Office for prosecution. The University Police Department may also respond to certain emergencies and conduct con-current investigations on criminal offenses that occur on SDSU property.

## ***Off Campus Criminal Activity***

The Calexico Police Department has primary jurisdiction for the public and private property that adjoins the IV main campus, including the International Student House located just off the campus. The Imperial County Sheriff's Office has primary jurisdiction for the public and private property that adjoins the Brawley satellite campus.

University Police officers work closely with allied agencies to assist each other with incidents involving University community members. When a student, faculty or staff member is involved in an off-campus offense, University police officers may assist in the investigation in cooperation with local, state or federal law enforcement.

## ***How to Report a Crime or Other Emergencies on Campus***

Potential criminal actions and any emergency on the main IV campus or in the community surrounding the campus should be reported directly to the Calexico Police Department by dialing 9-1-1. The non-emergency phone number for Calexico P.D. is (760) 768-2140. Potential criminal actions and any emergency on the Brawley campus or in the community surrounding the campus should be reported directly to the Imperial County Sheriff's Office by dialing 9-1-1. The non-emergency phone number for the Imperial County Sheriff's Office is (760) 351-2860. Most university offices and classrooms are equipped with campus phones, which can also be used to summon assistance or report crimes.

You may also report a crime directly to the University Police Department by calling (619) 594-1991 (from a campus phone, dial 4-1991) or by using one of the duress telephones located on campus. Campus duress phones are distinctively marked and have a blue light on top. The University police may respond to conduct an investigation or take the report over the phone. Due to the extended response time from the SDSU main campus, the University Police dispatch center will immediately forward any emergency calls from the IVC or Brawley campus to the responsible local agency. University Police officers may also respond depending on the nature of the emergency.

## ***We Encourage Accurate and Prompt Crime Reporting***

Faculty, staff, students and visitors are encouraged to promptly report any criminal activity directly to the Calexico Police Department, the Imperial County Sheriff's Department, or the University Police Department. This facilitates a timely response, thorough criminal investigation, and the ability for us to make timely warning and emergency notification to the University community if necessary. We understand that in some cases the victim of a crime may feel uncomfortable contacting the police, may not want the police involved, may not desire criminal prosecution, or may want to remain anonymous. If you do not want to report a crime directly to the University Police or need assistance in doing so, you may also report a criminal offense to the following designated campus officials:

Dean, Imperial Valley Campus at 760-768-5520

Associate Dean, Imperial Valley Campus at 760-768-5615

Director, Financial and Business Services Imperial Valley Campus at 760-768-5515

Director, Center for Student Rights and Responsibilities at 619-594-3069

Director, Residential Education Office at 619-594-5742

Director, Counseling and Psychological Services at 619-594-5220

Director, Student Health Services at 619-594-5281

Director, Center for Human Resources at 619-594-4648

A procedure is in place to capture crime statistics reported to these designated campus officials for inclusion in our annual crime statistics, and to issue a timely warning or emergency notification if appropriate.

### ***Anonymous Crime Reporting***

Crimes can be reported anonymously by calling Crime Stoppers at (619) 235-TIPS (8477) or via the Crime Stoppers link on the Department's web page at: [www.police.sdsu.edu](http://www.police.sdsu.edu). The University Police, Counseling and Psychological Services, the Center for Student Rights and Responsibilities, the Center for Human Resources and the Residential Education Office will accept confidential and anonymous reports of crimes for inclusion in the annual statistical report. It is our goal to provide assistance wherever a report is made and to make sure we include the crime in our annual Safety and Security report.

California Penal Code section 11160 requires prompt, mandatory reporting to the local law enforcement agency by healthcare practitioners when they provide medical services to a person they know or whom they reasonably suspect is suffering from wounds inflicted by a firearm or as a result of assaultive or abusive conduct. The healthcare practitioners at Student Health Services must report these types of cases to the University Police.

The counselors at Counseling and Psychological Services will inform their clients of the procedures to report crime to the University Police on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

### ***Policy for Reporting the Annual Disclosure of Crime Statistics***

The University Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report may be accessed at [www.police.sdsu.edu](http://www.police.sdsu.edu). You will find links to this report at [www.ivcampus.sdsu.edu](http://www.ivcampus.sdsu.edu). This report is prepared in cooperation with the local law enforcement agencies surrounding the IV Campuses, the Office of the Dean, the Financial

and Business Services Office, the Residential Education Office, the Center for Student Rights and Responsibilities, the Center for Human Resources, Student Health Services, and Counseling and Psychological Services. Each entity provides the University Police Department with information on crimes that may have been reported to their office each year for inclusion in our annual crime statistics as well as updated information on their educational efforts and programs to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to the SDSU Police, designated campus officials and local law enforcement agencies (when available). A procedure is in place to capture the statistics for crimes reported anonymously to designated campus officials (see Anonymous Crime Reporting).

Each semester, a safety message is sent via e-mail to all enrolled students, faculty and staff that includes the website to access this report. Faculty and staff also receive a notification with their paycheck. New students and employees are advised how to access this report during new student/employee orientations. Prospective students and employees can access the report via the University Police Department website, or the SDSU website. Copies of the report may also be obtained at the University Police Department Headquarters located at the Public Safety building on the main campus at 55th and Remington Road, or by calling the Crime Prevention Unit at (619) 594-1985.

### ***Information on Registered Sex Offenders***

The State of California provides an online database of registered sex offenders within the state. Information concerning registered sex offenders may be obtained on line at: [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). A link to the website is also located on the crime prevention page of the University Police website [www.police.sdsu.edu](http://www.police.sdsu.edu). Sex offenders who are required to register in the State of California must provide notice as required under State law, of each institution of higher learning in the State at which the person is employed, carries on a vocation, volunteer's services or is a student.

### ***Timely Warning Policy***

If the Chief of Police or designee determines that a situation exists either on or off campus that constitutes a serious or continuing threat to students and employees, the University Police Department will issue a campus-wide "timely warning" notice. The timely warning notice will then be forwarded to the Campus Public Information Officer and disseminated to the University community. It is our policy to disseminate these notices via the University Police website, University e-mail, voice mail, Alert SDSU, posting notices on bulletin boards, exterior doors of campus buildings and residence halls, and notifying the student newspaper and/or local media. Once all the relevant information is received, these notices will be posted as soon as possible.

## ***Multi-Hazard Emergency Response and Evacuation Plan***

In the event of a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of the University community, the University will immediately notify the University community or the appropriate section of the University community that may be affected by the situation. The University's partial or total response to the situation will be dictated by the type and magnitude of the emergency. Upon initial response, the University Police Chief or designee will determine whether or not the incident involves a significant emergency or dangerous situation warranting immediate notification. A decision about the content and method of initial communication may be made solely by University Police Chief or designee as first responders or through a coordinated effort among University Police, the campus Public Information Officer, and campus administration (President, Vice Presidents and/or IVC Dean). The University Police Chief or designee, working with the campus Public Information Officer will then initiate the emergency notification, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Calexico Police Department, Calexico Fire Department, Imperial County Sheriff's Department, Brawley Fire Department, Environmental Health and Safety, and/or University Police Department) compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The University has multiple systems in place for communicating an emergency situation to the University community. In most situations, multiple communication tools will be utilized by the University to ensure effective dissemination of information to as many affected individuals as possible. Campus emergency communication resources and those responsible for initiation of the communication are listed below

<b>Resource</b>	<b>Responsibility to Initiate</b>	<b>Use</b>
SDSU Mass Notification System	Campus Chief of Police or designee	Campus Emergency Notification Campus Directives
SDSU Home Page (www.sdsu.edu)	Campus Public Information Officer (Marketing and Communications) or designee	Campus Directives Campus Updates
SDSU Imperial Valley Campus Home Page (www.ivcampus.sdsu.edu/)	SDSU IVC Dean (in conjunction with SDSU Public Information Office, as necessary) or designee	Campus Directives Campus Updates
SDSU Web Portal	Campus Public Information Officer (Marketing and Communications) or designee	Campus Directives Campus Updates
SDSU Emergency Information Line (1-866-794-8832)	Campus Public Information Officer (Marketing and Communications) or designee	Campus Directives Campus Updates
SDSU Emergency Information Line, Calexico / Brawley (1-760-768-5520)	Campus Dean (in conjunction with SDSU Public Information Office, as necessary) or designee	Campus Directives Campus Updates



Email Communications ( <i>faculty, staff and students</i> )	Campus Public Information Officer (Marketing and Communications) or designee	Campus Directives Campus Updates
SDSU Alert (text messages)	Campus Public Information Officer (Marketing and Communications) or designee Campus Chief of Police or designee	Campus Directives Campus Updates Communication with Campus EOC Response Team
Vehicle Public-address System	University Police Department Department of Physical Plant	Campus Directives
Interstate 8 Message Board	Campus Public Information Officer (Marketing and Communications) or designee	Campus Directives
Campus Mobile Message Signage	University Police Department Department of Physical Plant	Campus Directives
Twitter ( <a href="http://www.twitter.com/@SDSU_NewsTeam">www.twitter.com/@SDSU_NewsTeam</a> )	Campus Public Information Officer (Marketing and Communications) or designee	Campus Updates Campus Information
Facebook ( <a href="http://www.facebook.com/TheSDSU">www.facebook.com/TheSDSU</a> )	Campus Public Information Officer (Marketing and Communications) or designee	Campus Updates Campus Information
Campus Telephone Operators	Campus Public Information Officer (Marketing and Communications) or designee	Campus Information
KPBS TV Channel 15 and Radio 89.5 FM	Campus Public Information Officer (Marketing and Communications) or designee KPBS Television and Radio, as applicable	Campus Information Local Area Directives
Local Radio KOGO/AM 600, KPOP/AM 1360 and KSDO/ AM 1130	Campus Public Information Officer (Marketing and Communications) or designee Local Radio Stations, as applicable	Campus Information Local Area Directives Local Area Updates
Departmental Phone Trees	Emergency Operations Center (EOC) Director, EOC Policy Group (to respective AVP, Executive Director, CEO, General Manager)	Departmental / Individual Directives

As an additional part of the University's emergency preparedness effort, the University conducts emergency drills each semester. Drills may be announced in advance or unannounced. Announced drills are communicated to the University community via a variety of sources, including the Emergency Information website, E-mail, SDSU News Center, and A-frame signage posted throughout campus. The University publicizes its emergency response and evacuation procedures in conjunction with at least one test per calendar year. Additionally, department safety coordinators receive refresher training in advance of each drill to prepare them to assist with evacuation of building occupants and notification to University Police of existing hazards.

Faculty, staff and students are regularly reminded to report an emergency, crime or suspicious activity 24 hours a day to the University Police. The University community is also reminded each semester via a variety of sources, including the Emergency Information website, Email, SDSU News Center, @State and News for Aztec Parents publications of the importance of having a plan for what to do before, during, and after an emergency. This includes becoming familiar with campus emergency procedures, building evacuation routes, and evacuation assembly points, located on the Emergency Information website at [www.ivcampus.sdsu.edu/Information/safety/community.asp](http://www.ivcampus.sdsu.edu/Information/safety/community.asp).

## ***SDSU's Policies and Procedures Regarding Title IX, Including Sexual Harassment and Sexual Violence***

Below, please find important information regarding SDSU's policies and procedures relating to Title IX, including sexual harassment and sexual violence. SDSU wants to provide you with information and necessary tools in the event that you or someone you know experiences sexual harassment or sexual violence. To learn more about SDSU's policies and procedures relating to sexual harassment and sexual violence, as well as information on awareness and prevention, we encourage everyone to view the following on line presentation: [http://video.sdsu.edu/nas/capture/2014/jrentto/Sexual%20Violence%20Prevention%20and%20Awareness%20CC/Sexual\\_Violence\\_Prevention\\_and\\_Awareness\\_CC\\_-\\_20140730\\_113000\\_6.html](http://video.sdsu.edu/nas/capture/2014/jrentto/Sexual%20Violence%20Prevention%20and%20Awareness%20CC/Sexual_Violence_Prevention_and_Awareness_CC_-_20140730_113000_6.html)

## ***SDSU's Statement of Nondiscrimination***

San Diego State University does not discriminate on the basis of sex, gender, gender identity or sexual orientation in its education programs or activities. Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of sex, gender, or sexual orientation in employment, as well as all education programs and activities operated by the University (both on and off campus), and protect all people regardless of their gender or gender identity from sex discrimination, which includes sexual harassment and sexual violence.

## ***The University's Policies and Procedures:***

The University prohibits Harassment of any kind, including, Sexual Harassment and Sexual Violence, Domestic Violence, Dating Violence, and Stalking. Such behavior violates both law and University policy. The University shall respond promptly and effectively to all reports of Discrimination, Harassment and Retaliation, and shall take appropriate action to prevent, correct, and when necessary, discipline behavior that violates this policy. Policies and Procedures regarding the Clery Act, Title IX, VAWA/Campus SaVE Act, and related sex discrimination, sexual harassment and sexual violence legislation can be found at the web addresses listed below:

Executive Order 1095, Implementation of Title IX, VAWA/Campus SaVE Act, and Related Sex Discrimination, Sexual Harassment and Sexual Violence Legislation: <http://www.calstate.edu/eo/EO-1095.html>

## ***Executive Order 1095 Definitions:***

**Sex Discrimination** means an adverse action taken against an individual because of gender or sex (including sexual harassment, sexual violence, domestic violence, dating violence, and stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act; California Education Code § 66250 et seq.; and/or California Government Code § 11135. See also Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 et seq.), and other applicable laws. Anyone, regardless of gender or gender identity, can experience Sex Discrimination.

**Sexual Harassment**, a form of Sex Discrimination, is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to Sexual Violence, sexual advances, requests for sexual favors, and indecent exposure, where:

- a. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a student's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or
- b. Such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the student, and is in fact considered by the student, as limiting the student's ability to participate in or benefit from the services, activities or opportunities offered by the University; or
- c. Submission to, or rejection of, the conduct by a University employee is explicitly or implicitly used as the basis for any decision affecting a term or condition of employment, or an employment decision or action; or
- d. Such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the University employee or third party, and is in fact considered by the University employee or third party, as intimidating, hostile or offensive.

Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

**Sexual Violence** is a form of Sexual Harassment and means physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, Domestic Violence, Dating Violence, and Stalking (when based on gender or sex) perpetrated against an individual against his or her will and without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, status as a minor, or Disability. Sexual Violence may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication).

Men as well as women can be victims of these forms of Sexual Violence. Unlawful sexual intercourse with a minor (statutory rape) occurs even if the intercourse is consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

**Sexual Assault** is a form of Sexual Violence and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex.

**Sexual Battery** is a form of Sexual Violence and is any willful and unlawful use of force or violence upon the person of another because of that person's gender or sex.

**Rape** is a form of Sexual Violence and is non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute rape. Sexual acts including intercourse are considered non-consensual when a person is incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under 18 years old, or if a mental disorder or developmental or physical disability renders the person incapable of giving consent. The accused's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Consent below.)

**Acquaintance Rape** is a form of Sexual Violence committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of Rape.)

**Consent** means an informed, affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

- Consent must be **voluntary**, and given without coercion, force, threats, or intimidation. Consent requires positive cooperation in a particular sexual act, or expression of intent to engage in that sexual act through the exercise of free will.
- Consent can be **withdrawn or revoked**. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity (or other sexual acts). Consent to sexual activity given on one occasion does not constitute consent to sexual activity on another occasion. The fact that two people are or were in a dating or sexual relationship does not constitute consent to engage in sexual activity. There must **always** be mutual and affirmative consent to engage in sexual activity. Consent to a sexual act may be withdrawn or revoked at any time, including after penetration. The victim's request for the perpetrator to use a condom or birth control does not, in and of itself, constitute consent. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Consent cannot be given by a person who is **incapacitated**. For example, a person cannot give consent if s/he is unconscious or coming in and out of consciousness. A person is incapacitated if s/he lacks the physical and/or mental ability to make informed, rational judgments. Examples of incapacitation include

unconsciousness, sleep and blackouts. Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. A person with a medical or mental disability may also lack the capacity to give consent.

- Being intoxicated by drugs or alcohol does not diminish a person's responsibility to obtain consent from the other party before engaging in sexual activity. Factors to be considered include whether the person knew, or whether a reasonable person in the accused's position should have known, that the victim did not give, or revoked, consent; was incapacitated; or was otherwise incapable of giving consent.
- Sexual intercourse with a minor is never consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

**Domestic Violence** is a form of Sexual Violence and is abuse committed against someone who is a current or former spouse, current or former cohabitant, someone with whom the abuser has a child, someone with whom the abuser has or had a dating or engagement relationship, or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

**Dating Violence** is a form of Sexual Violence and is abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website.

**Stalking** means a repeated course of conduct directed at a specific person (when based on gender or sex) that places that person in reasonable fear for his/her or others' safety, or to suffer substantial emotional distress.

#### **Complaints Procedures:**

- Complaints by students: Students who would like to file a complaint of sex discrimination, including sexual harassment, sexual violence, domestic violence, dating violence, and stalking can refer to Executive Order 1097 <http://www.calstate.edu/eo/EO-1097.html>.
- Complaints by faculty, staff, or student employees: Employees who would like to file a complaint of sex discrimination, including sexual harassment, sexual violence, domestic violence, dating violence, and stalking can refer to Executive Order 1096 - <http://www.calstate.edu/eo/EO-1096.html>.

- Complaints by other parties: Other parties who would like to file a complaint of sex discrimination, including sexual harassment, sexual violence, domestic violence, dating violence, and stalking can refer to Executive Order 1096 <http://www.calstate.edu/eo/EO-1096.html>.

Executive Order 1098, Student Conduct Procedures:  
<http://calstate.edu/eo/EO-1098.html>

SDSU Rights and Options for Victims of Sexual Violence, Dating Violence, Domestic Violence and Stalking:  
[http://oerc.sdsu.edu/pdf/EO-1095\\_Rights\\_and\\_Options.pdf](http://oerc.sdsu.edu/pdf/EO-1095_Rights_and_Options.pdf)

SDSU's Sexual Harassment and Sexual Violence Prevention and Awareness presentation:  
[http://video.sdsu.edu/nas/capture/2014/jrentto/Sexual%20Violence%20Prevention%20and%20Awareness%20CC/Sexual\\_Violence\\_Prevention\\_and\\_Awareness\\_CC\\_-\\_20140730\\_113000\\_6.html](http://video.sdsu.edu/nas/capture/2014/jrentto/Sexual%20Violence%20Prevention%20and%20Awareness%20CC/Sexual_Violence_Prevention_and_Awareness_CC_-_20140730_113000_6.html)

SDSU Title IX and Sexual Violence Informational Booklet: [http://oerc.sdsu.edu/pdf/SDSU\\_Title\\_IX-Sexual\\_Violence\\_Booklet.pdf](http://oerc.sdsu.edu/pdf/SDSU_Title_IX-Sexual_Violence_Booklet.pdf)

## ***Confidentiality – Know Your Options***

The University encourages victims Sexual Violence, Dating Violence, Domestic Violence, or Stalking (collectively Sexual Violence) to talk to someone about what happened, so you can get the support you need and so SDSU can respond appropriately. All employees, with the exception of University-employed physicians, professional counselors, sexual assault and domestic violence counselors and advocates, are required to report incidents of Sexual Violence (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator so the University can take immediate action to protect the victim, and take steps to correct and eliminate the cause of Sexual Violence.

Before talking to a university employee, it is important to understand university policy relating to confidentiality and their obligation, if any, to report the incident to the Title IX Coordinator.

## ***Privileged and Confidential Communications***

Physicians, psychotherapists, professional, licensed counselors, and clergy who work or volunteer on or off campus, and who provide medical or mental health treatment or counseling (including those who act in that role under their supervision) may not report any information about an incident of Sexual Violence to anyone else at the University, including the Title IX Coordinator, without the victim's consent. A victim can seek assistance and support from physicians, psychotherapists, professional, licensed counselors, and clergy without triggering a University investigation that could reveal the victim's identity or the fact of the victim's disclosure. However, see limited exceptions

below regarding when health care practitioners must report to local law enforcement agencies. Health care practitioners should explain these limited exceptions to victims, if applicable.

Sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women's centers, and health centers (including all individuals who work or volunteer in these centers and offices, as well as non-professional counselors or advocates, and those who act in that role under their supervision) may talk to a victim without revealing any information about the victim and the incident of Sexual Violence to anyone else at the University, including the Title IX Coordinator, without the victim's consent. A victim can seek assistance and support from these counselors and advocates without triggering a University investigation that could reveal his/her identity or that a victim disclosed an incident to them. However, see limited exceptions below regarding when sexual assault and domestic violence counselors and advocates must report to local law enforcement agencies. Counselors and advocates should explain these limited exceptions to victims, if applicable.

The University will be unable to conduct an investigation into a particular incident or pursue disciplinary action against a perpetrator if a victim chooses to (1) speak only to a physician, professional counselor, clergy member, sexual assault counselor, domestic violence counselor or advocate; and (2) maintain complete confidentiality. Even so, these individuals will assist victims in receiving other necessary protection and support, such as victim advocacy, disability, medical/health or mental health services, or legal services, and will advise victims regarding their right to file a Title IX complaint with the University and a separate complaint with local or University police. If a victim insists on confidentiality, such professionals, counselors and advocates will likely not be able to assist the victim with: University academic support or accommodations; changes to University-based living or working schedules; or adjustments to course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. These counselors and advocates can provide victims with that assistance if requested by the victim. These counselors and advocates will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

**EXCEPTIONS:** Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if he or she provides medical services for a physical condition to a patient/victim who he or she knows or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Violence, Domestic Violence, and Dating Violence). This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to victims, if applicable.

Additionally, under California law, all professionals described above (physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates) are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception to victims, if applicable.

Finally, some or all of these professionals may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; or (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the Sexual Violence incident. If applicable, these professionals will explain this limited exception to victims.

### ***Reporting to University or Local Police***

If a victim reports to local or University Police about Sexual Violence, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that his/her identity be kept confidential, his/her name will not become a matter of public record and the police will not report the victim's identity to anyone else at the University, including the Title IX Coordinator. University Police will, however, report the facts of the incident itself to the Title IX Coordinator being sure not to reveal to the Title IX Coordinator victim names/identities or compromise their own criminal investigation. The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed.

### ***Reporting to the Title IX Coordinator and Other University Employees***

Most University employees have a duty to report Sexual Violence incidents when they are on notice of it. When a victim tells the Title IX Coordinator or another University employee about a Sexual Violence incident, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. ***In all cases, the University strongly encourages victims to report Sexual Violence directly to the campus Title IX Coordinator.***

As detailed above in the Privileged and Confidential Communications section of this policy, all University employees except physicians, licensed counselors, sexual assault counselors and advocates, must report to the Title IX Coordinator all relevant details about any Sexual Violence incidents of which they become aware. The University will need to determine what happened – and will need to know the names of the victim(s) and



the perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident.

To the extent possible, information reported to the Title IX Coordinator or other University employees will be shared only with individuals responsible for handling the University's response to the incident. The University will protect the privacy of individuals involved in a Sexual Violence incident except as otherwise required by law or University policy. A Sexual Violence report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of sexual violence. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

If a victim requests of the Title IX Coordinator or another University employee that his/her identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If a victim wishes to remain confidential or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including the victim. Under those circumstances, the Title IX Coordinator will determine whether the victim's request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about a victim's identity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

The Title IX Coordinator will inform the victim of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response to the incident. The Title IX Coordinator will remain mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm, and work with the victim to create a safety plan. Retaliation against the victim, whether by students, employees or third parties, will not be tolerated. The University and Title IX Coordinator will also:

- Provide interim remedies requested by the victim, if they are reasonably available, regardless of whether the victim chooses to report Sexual Violence to campus or local police;
- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;

- Provide security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.

The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.

The University will not generally notify parents or legal guardians of a Sexual Violence report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

Under California law, and pursuant to University policy, all University employees, including the Title IX Coordinator, are mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the Sexual Violence incident to the police. However, the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies.

Because the University is under a continuing legal obligation to address the issue of Sexual Violence campus-wide, Sexual Violence reports (including non-identifying reports) may also require the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported Sexual Violence occurred; increased education, training and prevention efforts, including to targeted population groups; climate assessments/victimization surveys; and/or revision of policies and practices.

The Office of the Ombuds, if available on a specific campus, provides confidential, neutral and informal dispute resolution services, provides information about University policies and procedures, and makes referrals. However, in Sexual Violence cases, California law mandates that the Ombuds as well as all other University employees (except for physicians, licensed counselors, sexual assault counselors and advocates as discussed in the Privileged and Confidential Communications section of this policy above) report Sexual Violence incidents to the Title IX Coordinator.

**NOTE:** If the University determines that the perpetrator poses a serious and immediate threat to the campus community, a designated Campus Security Authority under the Clery Act may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

## ***Options for Reporting***

If a person would like to report an incident of sexual harassment or sexual violence, there are both on-campus and off campus options available.

- **Right to pursue a university discipline charge:** To do so, you should report the crime to a campus official such as the Title IX Coordinator or Deputy Coordinators. Your complaint of sex discrimination will be investigated pursuant to university policies, specifically Executive Orders 1095, 1096 and/or 1097. If the complaint is against a student, the disciplinary process outlined in Executive Order 1098 will be followed. University proceedings provide a prompt, fair and impartial investigation and resolution and the investigations are conducted by officials who receive annual training. Sanctions for violations of university policy relating to Sex Discrimination and Sexual Violence include suspension, expulsion, and termination of employment. For links to the Executive Orders, please see above.
- **Right to pursue criminal charges (in cases involving Sexual Violence), whether or not you pursue university disciplinary charges:** You can pursue criminal charges by contacting the police directly or if you would like their assistance, the Title IX Coordinator, Deputy Coordinators, Student Health Services, Counseling and Psychological Services or Residential Education can assist the employee or student in reporting to campus or local law enforcement.
- **Right to Report Sexual Violence without Pursuing Charges:** Counseling and other support services and resources are still available to you even if you choose not to pursue charges. Regardless of what option a person chooses, the university will discuss interim measures and the availability of permanent accommodations including changing academic, living, transportation, and working situations. If you wish to have a temporary “no contact” order in place, you can request one from the Title IX Coordinator, Deputy Coordinators or the Center for Student Rights and Responsibilities. A “no contact” order applies to campus only. In some situations, you may also be able to obtain a protective order that extends off-campus through a local court.

CSU policy prohibits retaliation against a person who reports Sex Discrimination, Sexual Harassment or Sexual Violence, or someone who assists someone with a report of such conduct, or participates in any manner in an investigation or resolution of a complaint.

### **What To Do If Someone Reports Sexual Harassment or Sexual Violence To You**

If a student or someone you know reports experiencing sexual harassment or sexual violence, here are some things you can do to assist them:

- **Listen.** If someone discloses sexual violence to you, it means they trust you enough to share this incredibly difficult story. Just listening with compassion can be incredibly helpful.

- **Believe.** Rather than asking a lot of questions, just let the person know that you believe them and will support them as best as you can. Avoid asking questions like “Why did you go with them?” or “Did you fight back?” Questioning the person’s behavior could make the person feel as though the sexual violence was their fault, even though it wasn’t and even if that’s not your intent. Focus on offering the person support and providing options so they can decide what is best.
- **Give options.** Sexual violence is a crime of power and control. In order to give a sense of control back to the person, allow them to carefully choose what option is best. They may not make the same decision you might make; however, only they can decide what a healthy process is for themselves. You can help them explore their options by suggesting available resources – medical, legal, on-campus, off-campus, friends, family, counselors, or any other support you can think of. For more information on options, see the online resource: [http://oerc.sdsu.edu/pdf/EO-1095\\_Rights\\_and\\_Options.pdf](http://oerc.sdsu.edu/pdf/EO-1095_Rights_and_Options.pdf).
- **Encourage The Person To Contact the Title IX Coordinator.** We encourage people who experience sexual violence to contact the Title IX Coordinator. The Title IX Coordinator can provide information relating to university policies and procedures, as well as information relating to rights and options. The Title IX Coordinator will also discuss any reasonable interim remedies that are available. (See below for contact information for the Title IX Coordinator and Deputy Coordinators.)

SDSU’s primary concern is the safety of its campus community members. The use of alcohol and/or drugs never makes the victim at fault for sexual discrimination, harassment or violence. Victims should not be deterred from reporting incidents of sexual violence out of a concern that they may be disciplined for related violations of drug, alcohol or other university policies. Except in extreme circumstances, victims of sexual violence shall not be subject to discipline for related violations of the Student Conduct Code or university policy.

## ***Who to Contact***

Title IX requires SDSU to designate a Title IX Coordinator to monitor and oversee overall Title IX compliance. The Title IX Coordinator is available to explain and discuss: your right to file a criminal complaint (sexual assault and sexual violence); the university’s complaint process, including the investigation process; how confidentiality is handled; available resources, both on and off campus; and other related matters.

### **Title IX Coordinator:**

**Jessica Rentto** Associate Vice President, Administration  
619-594-6017  
[jrentto@mail.sdsu.edu](mailto:jrentto@mail.sdsu.edu)

**Title IX Deputy Coordinators:**

**For complaints against students:**

**Lee Mintz** Director Center for Student Rights and Responsibilities  
619-594-3069  
lmintz@mail.sdsu.edu

**For complaints against faculty, staff and visitors:**

**Thom Harpole** Director Office of Employee Relations and Compliance  
619-594-6464  
tharpole@mail.sdsu.edu

**For complaints relating to Athletics:**

**Jenny Bramer** Associate Athletic Director/SWA Department of Intercollegiate Athletics  
619-594-0394  
jbramer@mail.sdsu.edu

## ***Sexual Violence Education, Prevention and Response***

The University engages in comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, including 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.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of California and/or using the definition of consent found in the CSU Executive order 1095;
- d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means a 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 talking action to intervene;

- e. Information on 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 help individuals and communities address conditions that facilitate violence;
- f. Provide an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual education campaign consisting of presentations that include the distribution of educational materials to incoming students and new employees during their respective orientation programs. The University Police Department, Student Health Services, Counseling and Psychological Services, Residential Education Office, Department of Intercollegiate Athletics, Office of Employee Relations and Compliance, and the Center for Human Resources, all offer ongoing prevention and awareness programs.

Literature on dating violence, domestic violence, sexual assault, and stalking awareness and prevention is available through the University Police Department, the Center for Student Rights and Responsibilities, Counseling and Psychological Services, Student Health Services, Residential Education Office and the Center for Human Resources.

The University's online Sexual Harassment and Sexual Violence Prevention and Awareness presentation is located at: [http://video.sdsu.edu/nas/capture/2014/jrentto/Sexual%20Violence%20Prevention%20and%20Awareness%20CC/Sexual\\_Violence\\_Prevention\\_and\\_Awareness\\_CC\\_-\\_20140730\\_113000\\_6.html](http://video.sdsu.edu/nas/capture/2014/jrentto/Sexual%20Violence%20Prevention%20and%20Awareness%20CC/Sexual_Violence_Prevention_and_Awareness_CC_-_20140730_113000_6.html)

The SDSU Title IX and Sexual Violence Informational Booklet, is available on line at: [http://oerc.sdsu.edu/pdf/SDSU\\_Title\\_IX-Sexual\\_Violence\\_Booklet.pdf](http://oerc.sdsu.edu/pdf/SDSU_Title_IX-Sexual_Violence_Booklet.pdf)

The SDSU Rights and Options for Victims of Sexual Violence, Dating Violence, Domestic Violence and Stalking is available on line at: [http://oerc.sdsu.edu/pdf/EO-1095\\_Rights\\_and\\_Options.pdf](http://oerc.sdsu.edu/pdf/EO-1095_Rights_and_Options.pdf)

### ***What if I Observe an Act or Potential Act of Sexual Violence***

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1 and get to a place of safety if appropriate.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or needs help, ask if they are ok.
- Confront people who secluded, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or legal assistance.

### ***Risk reduction***

With no intent to blame the victim and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept

a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### ***Procedure for Reporting Incidents of Sexual Violence***

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other on and/or off campus services. Students who are victims of sexual violence have the option to change their academic and/or on-campus living situations if such changes are reasonably available. The University will make such accommodations (when reasonably available) regardless of whether the victim chooses to report the crime to the University Police or local law enforcement.



After an incident of sexual violence at San Diego State University, the first priority of the victim is to get to a place of safety. The victim should then obtain necessary medical treatment as soon as possible.

If you become the victim of a sexual assault on or off campus

- GET to a safe place
- CONTACT the University Police or local law enforcement by dialing 9-1-1
- DO NOT shower, bathe, douche, smoke, eat, drink, brush teeth, gargle, use the toilet, change or destroy clothing
- DO NOT clean or straighten up the area
- SEEK medical attention
- SEEK emotional support from the County Crisis Center (888) 272-1767

The University Police Department strongly advocates that a victim of sexual violence report the incident in a timely manner to the Department by calling 9-1-1 or (619) 594-1991. Time is a critical factor for evidence collection and preservation.

Filing a police report will:

- Ensure that a victim of sexual violence receives the necessary forensic medical examination and tests, at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, smoke, eat, drink, brush teeth, gargle, use the toilet, change clothing or clean bed/linen/area prior to a forensic exam);
- Assures that the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
- Aid the victim in obtaining an emergency protective order or a restraining order if appropriate.

When a victim of sexual violence contacts the University Police Department, the police will conduct a criminal investigation and, with the victim's consent, contact on and/or off campus resources who can provide support and guidance. Investigation of complaints of sexual violence may be pursued through the criminal justice system. If the alleged perpetrator is a student, the University's Center for Student Rights and Responsibilities will also pursue an investigation through the student judicial process.

A victim of sexual violence may also report the incident to the following University officials, who will assist the victim in obtaining needed services and in notifying the University Police or local law enforcement if the victim desires:

- The University Title IX Coordinator (619) 594-6017
- A Counseling and Psychological Services counselor (619) 594-5220
- A Student Health Services medical provider (619) 594-5281
- A University Judicial Officer in the Center for Student Rights and Responsibilities (619) 594-3069
- A Residential Education Office official (619) 594-5742
- The Director of the Center for Human Resources (619) 594-4648
- The Director Center for Student Rights and Responsibilities (619) 594-3069
- The Director Office of Employee Relations and Compliance 619-594-6464
- The Associate Athletic Director/SWA Department of Intercollegiate Athletics (619) 594-0394

As time passes, evidence of a sexual violence incident may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, prosecution or obtaining a protective order related to the incident more difficult. Adult victims who wish to have physical evidence collected pursuant to a sexual assault incident, but do not wish to have law enforcement investigate the incident, may have this evidence collected at one of the adult Sexual Assault Response Team (SART) facilities in San Diego County. There is no cost to the victim for this service. Adult victims may present by a variety of methods including: a phone call to a sexual assault / domestic violence hotline; a phone call to 911; or by a report to a medical professional or facility. To ensure consistent quality of care and proper collection of evidence in all cases, these individuals will be referred to the San Diego County DV Hotline (888-385-4657).

Individuals will be counseled on their options for reporting of the incident and directed to a SART facility for an exam and collection of physical evidence. Patients who chose the non-investigative reporting option will be responsible for their own transportation to the SART facility if they do not want law enforcement involvement. The evidence will be kept by the appropriate law enforcement agency for a period of 18 months from the date of the exam. Should the patient later decide to proceed with a criminal justice system investigation, the SART facility will notify the law enforcement agency with jurisdiction of the incident and the appropriate advocacy agency. The victim will be notified that they will be contacted by law enforcement and examination of physical evidence may proceed at this time. Should the patient/victim not initiate an investigative report during this time period the evidence will be destroyed per agency guidelines.

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options entitled: ***“Rights and Options for Victims of Sexual Violence, Dating Violence, Domestic Violence and Stalking”***. Regardless of whether a victim elects to pursue a criminal complaint or

whether the offense is alleged to have occurred on or off campus, a representative from the University will help guide the victim through the available options and support and provide a written explanation of their rights. The California Victim's Bill of Rights (Marsy's Law) provides certain enumerated rights to justice and due process to crime victims. "Victim" as used in the California Constitution is defined as "a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term 'victim' also includes the person's spouse, parents, children, siblings, or guardian, and includes a lawful representative of a crime victim who is deceased, a minor, or physically or psychologically incapacitated. The California Victims' Bill of Rights can be viewed at: [http://oag.ca.gov/victimservices/content/bill\\_of\\_rights](http://oag.ca.gov/victimservices/content/bill_of_rights).

Various treatment options are available from the University through Counseling and Psychological Services, Student Health Services, and the Employee Assistance Program. SDSU's Counseling and Psychological Services department can also assist students with information and referral services to off-campus treatment providers. Information regarding referrals to off-campus agencies and community resources can be found below and at <http://www.sa.sdsu.edu/cps/index.html>.

**On Campus:**

University Police (24-hrs emergency)	9-1-1
University Police (Non-emergency)	(619) 594-1991
Student Health Services	(619) 594-5281
Counseling & Psychological Services	(619) 594-5220
Center for Student Rights and Responsibilities	(619) 594-3069
Women's Resource Center	(619) 594-0805

**Off Campus:**

Center for Community Solutions	(888) 272-1767
Imperial County District Attorney's Office	(760) 482-4331
Calexico Police Department	(760) 768-2140
Imperial County Sheriff's Department	(760) 351-2860
24 Hour Crisis Line	(888) 385-4657
Stalking Hotline	(619) 515-8900
Rape Abuse Incest National Network	(800) 656-4673

The University Police will assist our community in notifying or obtaining services from the above and any authorities upon request.

**Campus organizations that provide sexual assault prevention programs**

University Police	(619) 594-1991
Residential Education	(619) 594-5742
Student Health Services	(619) 594-5281
Counseling & Psychological Services	(619) 594-5220
Women's Resource Center	(619) 594-0805

## ***Campus Investigation of Reports of Sexual Violence***

The University has formal written procedures that provide for a campus investigation of reports of sexual violence, written findings sent to the accuser and the accused, and a review of the campus investigative findings by the CSU Chancellor's Office. The procedure for CSU employees and third parties is separate from, but similar to the procedure for CSU students. Your campus Title IX Coordinator can explain these procedures in detail.

At the conclusion of the University's complaint procedure, any employee or student found to have violated University policy against sexual violence will be subject to discipline. Discipline would be administered consistent with applicable collective bargaining agreements (for employees), University policies and legal requirements. As the victim, you are not required to participate in any University disciplinary procedure and may choose not to be a part of it. Disciplinary procedures for sexual violence will:

- Provide a prompt, fair, and impartial process and resolution.
- Be conducted by officials who receive annual training on sexual violence and how to conduct a hearing process that protects the safety of victims and promotes accountability resolution.
- Provide the accuser and the accused the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice resolution.
- Simultaneously inform the accuser and the accused in writing of:
  - o The outcome of the disciplinary proceeding;
  - o The University's procedures for the accused to appeal the results of the disciplinary proceeding;
  - o Any change to the disciplinary results that occurs prior to the time such results become final; and
  - o When disciplinary results become final.

## ***Complaint Procedures***

The CSU has adopted and published complaint procedures that provide for prompt and equitable resolution of Sex Discrimination complaints, including Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking:

Executive Order 1097, entitled "Systemwide Policy Prohibiting Discrimination, Harassment, and Retaliation Against Students and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students" is the appropriate system-wide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by CSU students against the CSU, a CSU employee, another CSU student, or a third party. (see <http://www.calstate.edu/EO/EO-1097.pdf>)

Executive Order 1096, entitled “Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Employees and Third Parties and Procedure for Handling Discrimination, Harassment and Retaliation Allegations by Employees and Third Parties” is the appropriate system-wide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party. Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Violence, Domestic Violence, Dating Violence, and Stalking shall use the grievance procedure specified in their collective bargaining agreement. (See <http://www.calstate.edu/EO/EO-1096.pdf>)

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, including Sexual Harassment or Sexual Violence, made by student-employees where the alleged Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking arose out of the person’s status as an employee and not his/her status as a student. (See <http://www.calstate.edu/EO/EO-1096.pdf>)

Executive Order 1096 is the appropriate system-wide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking filed by third parties against the CSU, a CSU employee or a CSU student. (See <http://www.calstate.edu/EO/EO-1096.pdf>)

Regardless of whether an employee, a student or a third party ultimately files a complaint under the applicable complaint procedure, if a campus knows or has reason to know about possible Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking, it must review the matter to determine if an investigation is warranted. When warranted, all such investigations must be prompt, thorough and impartial. The campus must then take appropriate steps to eliminate the Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and/or Stalking, prevent its recurrence, and remedy its effects.

### ***Student Disciplinary Proceeding/Investigation***

Whenever it appears that the Student Conduct Code has been violated, an oral or written complaint should be directed to the student conduct administrator as soon as possible after the event takes place. The student conduct administrator shall promptly: investigate each complaint submitted; determine whether it is appropriate to charge a Student with violation of the Student Conduct Code; and consider whether the University should implement an interim suspension, withdrawal of consent to remain on Campus, no contact orders concerning one or more members of the University community, or other Interim Remedies for the protection of any Complainant/victim or witnesses. Investigations shall be concluded within 60 Working Days after a complaint has been made.

Complaints by Students alleging Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking against other Students shall be filed and investigated according to the procedures set forth in Executive Order 1097 (<http://www.calstate.edu/EO/EO-1097.html>). The Title IX Coordinator shall notify the student conduct administrator of the status of any such complaint or appeal to the Chancellor's Office, as well as the investigation results (including findings and any Interim Remedies afforded to the Complainant/victim), so that the student conduct administrator may determine whether to initiate student conduct proceedings.

Complaints by CSU employees or Third Parties, as defined in Executive Order 1096 (e.g., vendors, auxiliary employees or Campus visitors), alleging Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking against Students shall be filed and investigated according to the procedures set forth in Executive Order 1096 (<http://www.calstate.edu/EO/EO-1096.html>). The Title IX Coordinator shall notify the student conduct administrator of the status of any such complaint or appeal to the Chancellor's Office, as well as the investigation results (including findings and any Interim Remedies afforded to the Complainant/victim), so that the student conduct administrator may determine whether to initiate student conduct proceedings.

Within 10 Working Days after the student conduct administrator receives the Investigator's findings, the student conduct administrator shall notify the Student in writing that a conference has been scheduled or that the Student is directed to promptly schedule a conference with the student conduct administrator.

In cases involving allegations of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking, the student conduct administrator shall offer the Complainant/victim the opportunity to meet with the student conduct administrator separately, prior to the conference. The conference and any meetings with the Complainant/victim shall occur within 20 Working Days after the student conduct administrator receives the Report and findings pursuant to Executive Order 1098.

The student conduct administrator shall promptly notify the Title IX Coordinator of the outcome of the conference with the Student charged. If the case does not proceed to hearing, the Title IX Coordinator shall at that time:

- Notify the Complainant/victim of the outcome of the conference, including any sanction that relates directly to the Complainant. Victims of crimes of violence, including sex offenses, shall also receive notice.
- Take any appropriate further steps to address the effects of any hostile environment resulting from the Discrimination, Harassment or Retaliation.
- Identify and address any remaining systemic or other patterns of Discrimination, Harassment or Retaliation at the Campus.

The student conduct administrator shall issue a notice of hearing promptly after the conference. In cases involving allegations of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking, notice shall also

be provided to the Complainant and the DHR Administrator or the Title IX Coordinator. The notice of hearing shall be issued within five Working Days after the conference has concluded.

The hearing is closed to all persons except the student conduct administrator; the Student charged; the Complainant/victim in cases of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking; their respective advisors; appropriate witnesses while they are testifying; a support person to accompany alleged victims of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking while they are testifying; the hearing officer; and one person to assist the hearing officer in recording the hearing. The Student charged, any Complainant, and any witnesses shall attend the hearing in person unless the student conduct administrator permits an exception (e.g., participation via videoconference or telephone). A police or security officer may also be present if deemed appropriate or necessary by the vice president for Student Affairs or hearing officer. The University will cooperate in providing University witnesses wherever possible, provided that they are identified at least five Working Days before the hearing.

After the hearing, the hearing officer shall make findings of fact and conclusions about whether the Student charged violated the Student Conduct Code. The standard of proof the hearing officer shall use is whether the University's charge is sustained by a preponderance of the evidence. It is the University's burden to show that it is "more likely than not" that the Student violated the Student Conduct Code.

The hearing officer shall submit a written Report of findings and conclusions to the president, along with any recommended sanctions, recommendations regarding restricting the Student's contact with, or physical proximity to, the Complainant or other persons. The Report shall be submitted within 10 Working Days after the hearing. Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense

Executive Order 1098 provides that the president shall review the hearing officer's Report and issue a final decision. The president may impose the recommended sanctions, adopt a different sanction or sanctions, reject sanctions altogether, or refer the matter back for further findings on specified issues. If the president adopts a different sanction than what is recommended by the hearing officer, the president must set forth the reasons in the final decision letter. The president's final decision letter shall be issued within 10 Working Days after receipt of the hearing officer's Report. The president shall send his or her decision electronically to the Student charged at the University-assigned or other primary e-mail address linked to the Student's University account.

In cases involving crimes of violence, including Sexual Violence, Domestic Violence, Dating Violence, or Stalking, both the Complainant-victim and the Student charged shall be simultaneously informed in writing of:

- The outcome of any disciplinary proceedings that arise from such allegations;
- Any change to the results that occurs prior to the time that such results become final; and
- When such results become final.

This information is given only to the student charged and Complainant/victim, and includes the name of the student charged, any violation found to have been committed, and any sanctions imposed on the student charged. The University may also notify any other alleged victim of the final results regardless of whether or not the charges are sustained. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

### ***Campus, Civil, and Criminal Consequences of Committing Acts of Sex Discrimination, Sexual Harassment, and Sexual Violence***

Individuals alleged to have committed Sexual Violence may face criminal prosecution by law enforcement and may incur penalties as a result of civil litigation. In addition, employees and students may face discipline/sanctions at the University. Employees may face sanctions up to and including dismissal from employment, per established CSU policies and provisions of applicable collective bargaining agreements. Students and employees charged with Sex Discrimination, Sexual Harassment or Sexual Violence will also be subject to discipline, pursuant University policies, and will be subject to appropriate sanctions.

- **Possible sanctions for employees:** Sanctions up to and including dismissal from employment may be imposed in accordance with current collective bargaining agreement, if applicable.
- **Possible sanctions for students**
  - o Under Executive Order 1098 the following possible sanctions may be imposed for violations of the student conduct code:
    - Restitution;
    - Loss of Financial Aid;
    - Educational and Remedial Sanctions;
    - Denial of Access to Campus or Persons;
    - Disciplinary Probation;
    - Suspension;
    - Expulsion;
    - Multiple Sanctions;



- Administrative Hold and Withholding a Degree;
- Interim Suspension: A president may impose an interim suspension pursuant to 5 Cal. Code Regs. § 41302 where there is reasonable cause to believe that separation of a Student is necessary to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order. Violation of any condition of interim suspension shall be grounds for expulsion.

## ***Missing Student Notification Policies and Procedures***

The Office of Housing Administration and Residential Education Office provide students living on campus an opportunity to register the names and contact information of individuals whom the University Police should notify within 24 hours of determining that the student is missing. The contact information is confidential, and is only accessible to authorized campus officials and law enforcement. In the case of a student who is under 18 years of age and not emancipated, the University Police must also notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to any additional contact person designated by the student.

If you suspect that any student, faculty, staff or campus visitor is missing, you should immediately report that information to the Calexico Police Department, Imperial County Sheriff's Department, or the University Police. You may also report a suspected missing student living on campus to the Director of the Office of Housing Administration (619) 594-6181, the Director of the Residential Education Office (619) 594-5742, a Residence Hall Coordinator or a Resident Advisor, who will immediately notify the University Police.

The Calexico Police Department, Imperial County Sheriff's Department, or the University Police will conduct the missing person investigation, including entering the missing person's information into the Missing Person System in the National Crime Information Center database, coordinate with other law enforcement agencies, and notify the appropriate parent, guardian or registered contact person (if applicable) within 24 hours of determining the person is missing.

## ***Alcohol, Drugs and Weapons Policies***

SDSU complies with the Drug Free Workplace Act of 1990 and the Higher Education Act Section 120a. University police officers actively enforce laws regulating the use of alcoholic beverages and underage drinking. SDSU is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with the University's educational mission. All SDSU students, faculty members, staff members, and administrators are subject to University policy and local, state and federal laws regarding the possession, distribution, or use of alcohol or illegal drugs.

The unlawful manufacture, distribution, dispensing, possession or use of alcohol and illegal drugs on the University campus, at any University-sponsored event off campus or in the surrounding community is prohibited. The use of alcoholic beverages must be in compliance with University policy and the law. University policy and local ordinances prohibit the possession of open alcohol containers and consumption of alcoholic beverages in public and may result in criminal prosecution and/or University disciplinary actions. Under California law the possession, transportation, and/or consumption of alcohol is strictly limited to persons 21 years of age or older. Possession, transportation, and/or consumption of alcohol by individuals less than 21 years of age are strictly prohibited, and may result in criminal prosecution and/or University disciplinary actions. Alcoholic beverages must be in a sealed container, concealed and not in plain view when transported in the residential communities. Residents of the residential halls under the age of 21 are not permitted to host guests or residents of any age who are in possession of alcohol in their room/apartment. The University's Alcohol Abuse and Illegal Drugs policy may be accessed at: <http://newscenter.sdsu.edu/universitysenate/policyfile.aspx>

The University Police Department strictly enforces federal and state laws, as well as the University's zero-tolerance policy, for the possession, use or sale of illegal drugs. Violators are subject to University discipline, criminal prosecution and removal from the University. Students found in violation of University alcohol, drug and weapons policies may be subject to disciplinary probation, suspension or expulsion. Employees in violation of the University alcohol and drug policies may be subject to corrective action, dismissal or be required to participate fully in an approved counseling or rehabilitation program. Applicable legal sanctions under local, state and federal law for the unlawful use, possession or distribution of illicit drugs and alcohol range from probation, diversion, imprisonment in the county jail for less than one year, to imprisonment in state prison.

Driving under the influence is a serious offense. California presumptive limit for driving under the influence is .08 blood alcohol content. Persons suspected of driving under the influence will be booked into county jail, and their license confiscated. California law prohibits persons less than 21 years old from driving with any measurable alcohol in their system. Violators will be cited and their license confiscated. Students arrested for driving under the influence are also subject to the University judicial process. California law mandates you submit to a chemical test to determine impairment. Failure to submit to a chemical test will result in a one year suspension of your license in addition to any other fines or penalties.

The University recognizes that alcohol and drug dependency is an illness, and a health problem. Individual assessment, treatment and referral services are available through Counseling and Psychological Services. Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems such as unwanted pregnancy, violent behavior, HIV infection and other sexually transmitted diseases and psychological depression. Alcohol diversion programs are available from The Campanile Foundation Center on Substance Abuse and the Department of Counseling and Psychological

Services. Drug and alcohol abuse prevention and education workshops are available to individuals, groups and organizations through the University Police, Counseling and Psychological Services, Student Health Services, Residential Education Office and the School of Social Work Student to Student program.

Firearms and other dangerous weapons of any kind are not permitted on campus or in the residential communities. The use, possession, or sale of firearms or any other dangerous weapon is strictly prohibited on campus by University policy and State law.

## ***Security Awareness and Crime Prevention Programs***

Even though the University Police Department works closely with neighboring police agencies and employs security measures to reduce and prevent crime, we believe security is everyone's responsibility. Each semester the Chief of Police sends an e-mail message to students, faculty and staff encouraging them to take responsibility for the safety and security of the campus community. It includes how to report a crime or suspicious activity, and personal safety strategies to enhance their safety. New students and employees are advised of the campus security procedures and personal safety strategies during new student/employee orientations. Information on safety and security is provided to students and employees regularly through seminars, videos, bulletins, and crime alerts, posters, brochures and the University student newspaper. Timely notice warnings include risk reduction strategies to enhance personal safety and protect property.

As part of the Department philosophy, University Police along with Counseling and Psychological Services, Residential Education, and Student Health Services present crime prevention and emergency response workshops to faculty, staff and student groups several times each semester. Topics include personal safety awareness, rape and sexual assault prevention, Rape Aggression Defense, Active Shooter Response, property protection strategies, workplace violence prevention, drug and alcohol abuse, anti-drunk driving preventions, and combating underage drinking. Workshops, group presentations and written materials are provided to on-campus housing residents each semester, focusing on community responsibilities and needs within the student living environment. We encourage participation in our crime prevention programs and ask for your assistance in keeping our community safe.

## ***Self Defense Courses***

The University Police offers a Rape and Sexual Assault Awareness and Prevention program that provides realistic, self-defense principles, tactics and techniques. It is a comprehensive course for a woman that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. The University Police offers Rape and Sexual Assault Awareness and Prevention classes each semester. See the department web page <http://police.sdsu.edu/psa.htm> or call (619) 594-1985 for additional course information.

The Aztec Recreation Center (ARC) also offers self- defense courses for men and women each semester. Visit the ARC website [www.arc.sdsu.edu](http://www.arc.sdsu.edu) for details.

The University Police offer pepper spray self- defense courses to faculty, staff and student groups on request. The course covers legal issues, safety strategies, carrying methods, deployment, cross contamination, decontamination and disposal. There are both minimum and maximum class sizes. Contact the Crime Prevention Unit at (619) 594-1985 for additional information or to schedule a class.

## ***Security, Access and Maintenance of Campus Facilities***

Campus buildings are normally secured during non-business hours, on weekends and on holidays. After hours access to campus buildings is limited to authorized faculty and staff with valid University I.D. Students who wish to work in the building after hours must first obtain written authorization by the college dean, together with valid student identification. Anyone working late or on weekends should notify the University Police at (619) 594-1991.

The IV campus buildings and grounds are maintained by Physical Plant and patrolled by contracted private security guards. The Physical Plant maintains the University buildings, grounds and roadways with a concern for safety and security. They inspect campus facilities regularly, test the emergency phones, make repairs affecting safety and security, and respond to reports of potential safety and security hazards, such as broken windows, locks, and lighting. Periodic crime prevention surveys are conducted when a crime trend occurs or upon the physical change of office space and equipment when requested by an administrator. Most campus buildings are equipped with card key access and door alarms that report to the University Police. Many offices, labs, computer rooms and areas of campus have alarms. Call Physical Plant at (760) 768-5516 (from any campus phone dial 6-5516) or the University Police after hours to report any safety or security hazard in or around campus buildings, grounds or roadways.

Lighting and environmental improvements are constantly being evaluated. Risk management members periodically review lighting and other environmental concerns for safety. Improvements have included the placement of high intensity sodium vapor lights in buildings, parking lot areas, areas with heavy landscaping and trees, and along pathways frequently traveled by students. Distinctively marked duress telephones are located at several locations throughout the campus. All emergency telephones are connected directly to the University Police.

## ***Safety and Security in the Student Residential Facility- Access and Maintenance***

The International Student House, located approximately one block from the IV campus, is a 5 bedroom 3 bath home owned by the SDSU Research Foundation and offers lodging to a limited number of SDSU IVC students. The house uses traditional lock and

key security systems, and there is no monitoring of those facilities by Foundation or Residential Education personnel. The facility is managed and maintained by the SDSU Research Foundation with a concern for safety and security.

Residents are reminded to take responsibility for their safety and security by observing building security procedures, keeping their doors locked (even when occupied), reporting security concerns, and notifying the University Police or SDSU Research Foundation Property Management of any unfamiliar persons or unusual incidents within the residential facility.

Annual Fire Safety Report:

The IVC Financial and Business Services Office publish the annual Fire Safety Report for the SDSU IVC residential community. The report includes:

- A description of each on-campus student housing facility;
- The number of fire drills conducted during the reporting year;
- Campus policies or rules on portable electronic appliances, smoking, and open flames in a student housing facility;
- Campus procedures for evacuating student housing in the event of a fire;
- The policies regarding fire safety education and training programs provided to the student and employees (including the procedures that students and employees should follow in the case of a fire);
- The titles of each person or organization to which students and employees should report that a fire occurred; and
- Plans for future improvements in fire safety, if any.

A copy of the annual Fire Safety Report can be obtained on line on the IV campus web site at [www.ivcampus.sdsu.edu](http://www.ivcampus.sdsu.edu), the University Police Department website at [www.police.sdsu.edu](http://www.police.sdsu.edu), or in person at the Financial and Business Services Office located at 720 Heber Avenue. You may request a copy be mailed to you by calling Financial and Business Services Office at (760) 768-5515

## ***Counseling & Psychological Services***

The University Police Department works closely with the Department of Counseling and Psychological Services in dealing with sensitive situations, and we refer persons to the Counseling Center on a regular basis. Police officers and counselors have received training on threat assessments and the counselors consistently encourage their clients to report crimes to the University Police to help prevent future crimes. Counseling sessions are considered privileged and the holder of the privilege is the client. Crime information can be forwarded anonymously at the request of the client. The counselors do not disclose information to the public without the consent of the client, unless there is an immediate threat to safety. Any reporting of statistics to comply with the Clery Act is done by reporting numbers and not names, so the information provided by clients is confidential.

Counseling services are available to students at no additional cost. The staff consists of professionally trained and licensed counselors, psychologists, and clinical social workers. Counselors are also available for consultations to staff and faculty regarding distressed or potentially violent students/employees and can be reached at (619) 594-5220.

## ***Crime Classification Definitions for the Annual Clery Crime Statistics Chart***

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. *NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.*

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

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

**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.

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

**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; house-breaking; safecracking; and all attempts to commit any of the aforementioned.

**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)

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

**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.

**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.

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

**Hate Crimes:** 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 bias against the victim's race, sexual orientation, etc..., the assault is then also classified as a hate/bias crime.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner. A domestic violence crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's relationship. For example, a husband batters his wife, which is a crime. The crime is classified as a battery, but is also captured as a domestic violence incident.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse. A dating violence crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's relationship. For example, a girlfriend vandalizes her boyfriend's car, which is a crime. The crime is classified as vandalism, but is also captured as a dating violence incident. Dating violence does not include acts covered under the definition of domestic violence.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

**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, methadones); 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; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)



## CRIMES REPORTED BY SDSU POLICE DEPARTMENT

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

SDSU-IVC Campus Crime Statistics Totals by Crime Type and Location Category <sup>1</sup>															
OFFENSE TYPE	CAMPUS			NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL			RESIDENCE HALLS		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape*	0	0	0	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	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

\*Included in the Forcible Sexual Offense Category  
<sup>1</sup> Includes Hate Crime statistics from the tables below

HATE CRIME (Race, Religion, Sexual Orientation, Gender, Disability, Ethnicity/National Origin, Gender Identity) <sup>1</sup>															
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest*	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape*	0	0	0	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	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

\*Included in the Forcible Sexual Offense Category  
<sup>1</sup> Included in the University's Crime Statistics table above

OFFENSE TYPE	CAMPUS			NON-CAMPUS PROPERTY			PUBLIC PROPERTY			TOTAL			RESIDENCE HALLS		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015

ARRESTS FOR DRUG, WEAPON AND LIQUOR LAW VIOLATIONS															
Liquor Laws	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

DISCIPLINARY REFERRALS THAT DID NOT RESULT IN AN ARREST															
Liquor Laws	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

SDSU Campus includes buildings and property owned or controlled by the University within the same contiguous geographic area and used in direct support of the University's educational or institutional purposes. SDSU campus statistics include SDSU residence halls. Non-campus building or property includes those owned or controlled by a student organization that is officially recognized by SDSU or those owned or controlled by SDSU and are used in direct support of SDSU educational purposes, are frequently used by students, and are not within the same contiguous geographic area as the campus. Public property includes city thoroughfares, streets and sidewalks and parking facilities within or immediately adjacent to SDSU.

Information provided by the State of California concerning registered sex offenders may be obtained on line at: [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). A link to the web site is also located on the crime prevention page of the University Police web site [www.police.sdsu.edu](http://www.police.sdsu.edu)

**EMERGENCY**  
**CALL 9-1-1** FIRE  
POLICE  
MEDICAL



**SAN DIEGO STATE UNIVERSITY  
POLICE DEPARTMENT**

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San Diego State University  
Police Department  
(619) 594-1991

Physical Location:  
Public Safety Building  
(Located at 55th and  
Remington Road)

Mailing Address:  
5500 Campanile Drive  
San Diego, CA 92182-4390