

From the Office of Safety & Security

SOUTH SEATTLE COLLEGE



# Annual Security and Fire Report

# 2017

SOUTH SEATTLE COLLEGE ONE OF THE SEATTLE COLLEGES  
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## ***Your Right to Know!***

*In compliance with the Jeanne Clery Disclosure Act of Campus Security and Campus Crime Statistics Act contact James Lewis 206-934-5157 [james.lewis@seattlecolleges.edu](mailto:james.lewis@seattlecolleges.edu), Title IX, and the Violence against Women Act, Title IX Coordinator contact Linda Manning 206-934-6415*

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## ACCESSIBILITY TO INFORMATION AND NON-DISCRIMINATION POLICY

The publication is available in alternative format upon request. The college is committed to equal access to programs, facilities, admission, and employment for all persons. It is the policy of the college to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender-perceived gender, gender identity, gender information or political ideas. Discriminatory conduct and harassment as well as sexual misconduct and relationship violence, violates the dignity of individuals, impedes the realization of the college's educational mission, and will not be tolerated. Direct all inquiries regarding the nondiscriminatory policy to Ms. Linda Manning, Human Resources Administrator, South Seattle College 6000 16<sup>th</sup> Ave. SW, Seattle WA 98106; email [linda.manning@seattlecolleges.edu](mailto:linda.manning@seattlecolleges.edu)

**The following information has been prepared to increase your awareness of current programs that exist to assist you in protecting your safety and well-being. Portions are also provided in compliance with federal law, specifically the Clery Act, Higher Education Opportunity Act (HEOA), Title IX, and the Violence against Woman Act (VAWA).**

## ANNUAL CLERY REPORT

Each year on or before October 1, South Seattle College produces a report of crime statistics and College policies, procedures and programs related to campus safety and security issues, as required by the Clery Act. We hope that you will find the information in this document helpful to you and that it will answer questions you may have about crimes occurring on campus, fire safety and other concerns of a personal safety nature.

## WHAT IS THE CLERY ACT?

The Jeanne Clery Disclosure Act of Campus Security and Campus Crime Statistics Act (the Clery Act) requires that post-secondary schools, participating in Title IV student financial aid programs, publish a statistical report of crimes occurring on or near the institution's campus and provide information about security policies, procedures and programs. To comply with the Clery Act, every institution must:

### 1) Collect, classify and count crime reports and crime statistics.

- **Issue campus alerts.** To provide the campus community with information necessary to make informed decisions about their health and safety, the college must:
  - Issue a *timely warning* for any *Clery Act* crime that represents an ongoing threat to the safety of students or employees;
  - Issue an *emergency notification* upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The regulatory requirements regarding these topics are discussed in detail in Chapter 6.
- **Publish an annual security report containing safety- and security-related policy statements and crime statistics and distribute it to all current students and employees.** Schools also must inform prospective students and employees about the availability of the

report. *This report includes data from two years prior to the most recent year. In this particular report you will see data for calendar years, 2015, 2016, and 2017.*

- **Submit crime statistics to the U.S. Dept. of Education.** Each year in the fall we must participate in a Web-based data collection to disclose crime statistics by type, location and year.
- 2) In addition to the requirements for all institutions listed under no. 1, since SSC maintains a campus security department, we must keep a **daily crime log of alleged criminal incidents** that is open to public inspection. **The daily crime log is posted outside of RSB62A.**
- 3) In addition to the requirements for all institutions listed under #1, any college that has on-campus student housing facilities, must also:
- **Disclose missing student notification procedures** that pertain to students residing in those facilities; and
  - Disclose **fire safety information** related to those facilities.
  - Keep a **fire log** that is open to public inspection.
  - Publish an **annual fire safety report** containing **policy statements** as well as **fire statistics** associated with each on-campus student housing facility, including number of fires, cause, injuries, deaths and property damage. Schools also must inform prospective students and employees about the availability of the report. **South Seattle College does not have campus student housing.**

## HOW SSC- COMPILES CLERY CAMPUS CRIME STATISTICS

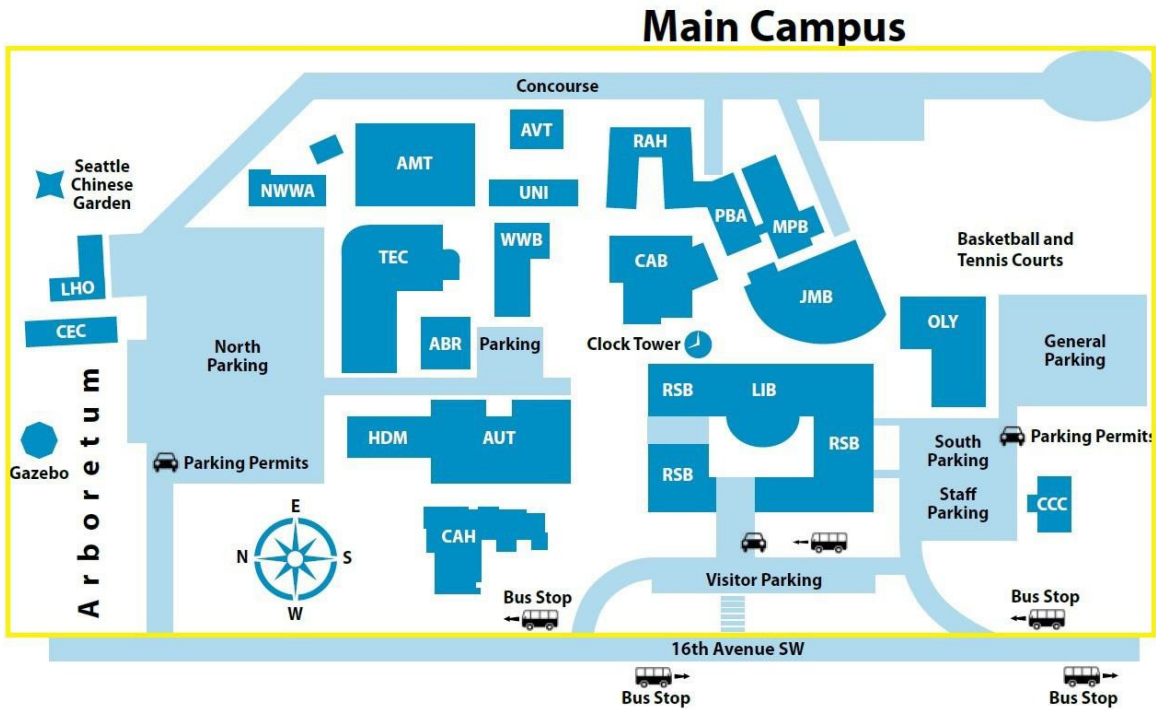
The intent of the report is to inform you of the extent of reported crimes occurring in the previous three calendar years in this case 2015, 2016, and 2017 and also gives you information about safety on campus. Data is collected from the Seattle Police Department and SSC's Campus Security Department.

The Clery Act is a complicated law that includes many requirements. One of the requirements is to produce a comprehensive annual report which includes crime statistics for the three previous calendar years.

The following are a few useful facts about the statistics and the manner in which they are compiled.

The statistics include the occurrence of the following criminal offenses reported to campus security authorities or to local law enforcement agencies that occurred on campus, in or on non-campus building or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus.

## CLERY REPORTING GEOGRAPHY



The statistics are categorized separately as offenses that occur in the following locations:

- On Campus** – This includes any buildings and facilities owned or controlled by South Seattle College, Georgetown, and New Holly which are within the same reasonably contiguous geographic area and used to meet or support the institution’s educational purpose. This would include: Residence halls, administrative buildings, buildings that house classrooms and labs, childcare centers, support facilities, undeveloped property and parking lots. Specifically, this includes any facility or address of:

6000 16<sup>th</sup> Ave. SW Seattle, WA. and 6737 South Carson Seattle, WA.
- Non-Campus** – This area includes buildings and facilities that are near campus or are either owned or controlled by the College, such as fraternities, sororities, cooperative housing facilities, rented classrooms and other administrative facilities that are used for student activities. To include New Holly 7058 32<sup>nd</sup> Ave. South, Seattle WA , Vigor 1801 16<sup>th</sup> Ave. SW Seattle WA., and Boeing Field 8900 E. Marginal Way South, Seattle, WA.
- Public Property** – This area can be described as public streets that run through the campus, or form the border of the campus. If portions of the bordering streets were not accessible because of a fence or other obstructions, then those portions would not be included in the annual report. South does have some rocky obstructions that would exclude a portion of its bordering streets from inclusion in the annual report.

Statistics are included by the calendar year in which the crime was reported to South Seattle College Campus Safety Office.

## CLERY CRIMES

Statistics are gathered and counted based on the following criteria:

<b>Crimes</b>	<b>Counted by number of</b>
Homicide and non-negligent manslaughter	Victims
Negligent manslaughter	Victims
Forcible sex offenses	Victims
Non-forcible sex offenses	Victims
Robbery	Incidents
Aggravated assault	Victims
Burglary	Incident
Motor vehicle theft	Vehicles
Arson	Incidents
Hate crimes	Hate Crimes
Liquor, drug and weapon law offenses	Arrests or Referred to VP of Student Services

In the case of liquor, drug and weapon offenses the numbers are tallied in two groups. The first set of numbers is for those individuals who are arrested and the second is for those who received College disciplinary sanctions alone. This is not a distinction between breaking the law and not breaking the law; the numbers in both groups are the result of a likely violation of the law. It is an attempt to reflect the actual impact of liquor, drug and weapon violations occurring in the campus community even when the incident does not result in an arrest. An officer or the district attorney may choose not to prosecute an individual for one of these offenses because there is insufficient evidence to reach a conviction or for other reasons, but the College may still sanction the individual for the conduct. The standard for being found liable or responsible in a civil proceeding is less than what is required for a conviction in a criminal proceeding.

The following statistics are collected and reported as a bias/hate crime: the Clery-reportable crimes described in the section above, as well as theft, simple assault, intimidation, destruction/damage /vandalism of property, and any other crimes involving bodily injury to any person, where the victim was intentionally selected because of his or her actual or perceived race, sex, religion, sexual orientation, ethnicity or disability.

The statistics are compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act.

#### **HIERARCHY RULE**

When we examine incidents to determine if they should be included in the annual report, a portion of the Clery Act called the Hierarchy Rule comes into effect. Occasionally, a person who is arrested may have committed more than a single offense. The Hierarchy Rule requires in this situation that we count the offense which is of the most serious nature and not count an offense of lesser significance. For example, if a person committed a burglary and a murder in the course of a single act then only the murder would be counted. An exception to this rule exists for hate crimes. If a person commits any reportable offense and while doing this also commits a hate crime, then both incidents will be reported.

#### **EXCLUDED CRIMES**



In some cases an incident that is reported as a crime may not be included in the annual report. Each of the following five standards must be met for an incident to be included in the annual report:

1. **Reported to the Proper Authorities** – Incidents must be reported to law enforcement or a person who, according to the Clery Act, is defined as a Campus Security Authority (CSA). A person designated as a CSA does not only mean a person employed by the Campus Safety department. The term is applied to any person who works for the College in a paid or volunteer status and has *significant responsibility for student activities*. If you are someone whom a student reasonably believes that he or she can report a crime to and expect that the matter will be addressed directly through your intervention or that you will contact law enforcement for a response, then you are a Campus Security Authority.
2. **Listed Crimes** – The crime must be one of those listed in the Clery Act as a reportable crime. (See the list above.)
3. **Reportable Area** – The crime must have occurred in one of the reportable areas. Every reportable crime occurring within the boundaries of campus is in the reportable area. The two remaining areas are a little more difficult to define. Perimeter streets are described in the following way: “Sidewalk – Street – Sidewalk”. This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable, as are incidents occurring in the street. But an incident occurring in a building (a privately owned store) on the distant side of a perimeter street would not be included. Unfortunately, most law enforcement agencies do not distinguish where a crime occurs with this degree of detail. Crimes are usually located by street and house numbers. With regard to Non-Campus Buildings, crimes occurring in those buildings or on the property of that location are reportable. Incidents occurring on the sidewalk or on streets in front of that building would not be included.
4. **Made in Good Faith** – For an incident to be included there must be a determination that the report is made in good faith. Supporting evidence makes this determination easy, but such evidence is not always available. In such a case the credibility of the person making the report is considered. When the incident is reported to us through a law enforcement agency, we assume that this determination has already been made.
5. **Unfounded** – If law enforcement determines that a particular reported incident could not have occurred or did not occur, i.e., a false report, the crime is not included in the annual report. Only law enforcement can rule a case “unfounded”.

#### CLERY CRIME DEFINITIONS

The crimes definitions listed below are taken from the Handbook for Campus Safety and Security Reporting. These definitions guide South Seattle College on defining and classifying crimes.

- **Homicide and non-negligent manslaughter** – is the willful killing of one human being by another.
- **Negligent manslaughter** – is the killing of another person by gross negligence.
- **Forcible sex offenses** – are any sexual acts directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. There are four types of forcible sex offenses:
  - Forcible Rape
  - Forcible Sodomy
  - Sexual Assault with an Object
  - Forcible Fondling

- **Non-forcible sex offenses** – are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:
  - Incest
  - Statutory Rape
- **Robbery** – is the taking or attempt to take anything of value from 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** – is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.
  - **Burglary or Larceny (from a Building)** – is the unlawful entry of a structure to commit a felony or a theft.
  - **Motor vehicle theft** – is the theft or attempted theft of a motor vehicle.
  - **Arson** – is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
  - **Hate crimes** – are any of the aforementioned offenses, and any other crimes involving bodily injury reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. Categories of bias are:
    - Race
    - Gender
    - Religion
    - Sexual Orientation
    - Ethnicity/National Origin
    - Disability
- **Liquor, drug and weapon law offenses** – are any violation of liquor, drug or weapon laws. Driving Under the Influence (DUI) is not reportable because it is a driving crime and not a liquor crime *unless* the driver is also a minor or the means of intoxication is an illegal drug.

## HATE CRIMES

Hate Crimes reporting under the Clery Act may be divided into three general categories:

- 1) Any reportable crime that law enforcement determines has a biased motive. "Bias" means a bias based on race, gender, religion, disability, sexual orientation, or ethnicity/national origin.
- 2) Crimes that results in bodily injury, and that law enforcement determines has a biased motive.
- 3) Any of the (below) non-required crimes, where it was determined by Law Enforcement that the motive was bias:

### a. **Larceny/Theft** –

- 1) **Pocket Picking** - theft of articles from another person's physical possessions by stealth where the victim usually does not become immediately aware of theft. (If use of force or threat of force is present, this will be counted as a strong arm robbery.)
- 2) **Purse Snatching** – grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.
- 3) **Shoplifting** – theft from within a building which is either open to the general public or where the offender has legal access.

- 4) *Theft from Building* – theft from within a building which is either open to the general public or where the offender has legal access.
  - 5) *Theft from Coin Operated Machine or Device* – theft from a machine or device which is operated or activated by the use of coins.
  - 6) *Theft from a Motor Vehicle* – theft of articles from a motor vehicle, whether locked or unlocked. Note: Do not count theft of motor vehicle parts or accessories.
  - 7) *All Other Larceny* – all thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.
- b. Simple Assault** – an unlawful physical attack by one person upon another where neither the offender displays a weapon, but 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.
- c. 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.
- d. Destruction/Damage/Vandalism of Property (Except Arson)** – to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

#### DAILY CRIME LOG

The Daily Crime Log records activity reported to the South Seattle College Campus Safety Office. The log will include a summary of the incident, the date, time and general location of each incident, and the disposition, if known.

The Daily Crime Log is open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection.

Information may be withheld from the Daily Activity Log, in these cases:

- Disclosure of the information is prohibited by law.
- Disclosure would jeopardize the confidentiality of the victim.
- There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual.

**CRIME STATISTICS**

**CLERY CRIME STATISTICS CY2015-CY2017**

Based on SSC records and records from the Seattle Police Department. Reported crimes may involve individuals not associated with South Seattle College.

<b>Criminal Offenses</b>													
	<b>ON CAMPUS</b>						<b>PUBLIC PROPERTY</b>			<b>OFF CAMPUS</b>			
	2015	2016	2017				2015	2016	2017	2015	2016		2017
Murder/Non-negligent manslaughter	0	0	0				0	0	0	0	0		0
Negligent manslaughter	0	0	0				0	0	0	0	0		0
Sex offenses - Forcible	0	0	0				0	0	0	0	0		0
Sex offenses - Non-forcible	0	0	0				0	1	0	0	0		0
Robbery	0	0	0				0	2	0	0	0		0
Aggravated assault	0	0	2				0	3	0	0	0		0
Burglary	0	2	2				0	4	0	0	0		0
Motor vehicle theft	0	0	2				3	3	0	0	0		0
Arson	0	0	0				0	0	0	0	0		0
<i>Hate Crimes Any crimes reported to have occurred that manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity/national origin, gender identity or disability.</i>													
	<b>ON CAMPUS</b>						<b>PUBLIC PROPERTY</b>			<b>OFF CAMPUS</b>			
	2015	2016	2017				2015	2016	2017	2015	2016		2017
Murder/Non-negligent manslaughter	0	0	0				0	0	0	0	0		0
Negligent manslaughter	0	0	0				0	0	0	0	0		0
Sex offenses – Forcible	0	0	0				0	0	0	0	0		0
Sex offenses – Non-forcible	0	0	0				0	0	0	0	0		0
Robbery	0	0	0				0	0	0	0	2		0
Aggravated assault	0	0	0				0	0	0	0	0		0
Burglary	0	0	0				0	0	0	0	0		0
Motor vehicle theft	0	0	0				0	0	0	0	0		0
Arson	0	0	0				0	0	0	0	0		0
Simple assault	1	0	0				0	0	0	0	0		0
Larceny-theft	0	0	0				0	0	0	0	0		0
Intimidation	1	1	1				0	0	0	0	0		0
Destruction/vandalism of property	0	0	0				0	0	0	0	0		0
<i>Arrests for each of the following crimes</i>													
	<b>ON CAMPUS</b>						<b>PUBLIC PROPERTY</b>			<b>OFF CAMPUS</b>			
	2015	2016	2017				2015	2016	2017	2015	2016		2017
Illegal Weapons Crime	0	0	0				0	1	0	0	0		0
Drug Law Violation	0	0	0				1	0	0	0	0		0
Liquor Law Violation	0	0	0				0	2	0	0	0		0
<i>Disciplinary Actions/Judicial Referrals for each of the following law violations. (These figures are not included in the arrest figures.)</i>													
	<b>ON CAMPUS</b>						<b>PUBLIC PROPERTY</b>			<b>OFF CAMPUS</b>			
	2015	2016	2017				2015	2016	2017	2015	2016		2017
Illegal Weapons Crime	0	0	0				0	0	0	0	0		0
Drug Law Violation	0	0	0				0	0	0	0	0		0
Liquor Law Violation	0	0	0				0	0	0	0	0		0

**DISCLOSURE**

**OVERALL CRIME STATISTICS CY2017**

Although the Clery Act requires us to disclose statistics for certain crimes, we believe it is important for students to know the entire picture when it comes to crimes happening at South. The following statistics are for all crimes which happened at South in 2017.

	Jan. 2017	Feb. 2017	Mar. 2017	Apr. 2017	May 2017	Jun. 2017	July 2017	Aug. 2017	Sept. 2017	Oct. 2017	Nov. 2017	Dec. 2017	Total
<b>Arrests and Violations</b>													
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Criminal Offenses</b>													
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	0	1	0	0	0	0	0	0	0	2
Burglary	0	0	1	0	0	0	0	0	1	0	0	0	2
Motor Vehicle Theft	0	1	1	0	0	0	0	0	0	0	0	0	2
Arson	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
Dating Violence	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
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>													
<b>(2a) Forcible</b>													
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0
] Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault w/ Object	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
<b>(2b) Non-Forcible</b>													
Incest	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
Sexual Harassment	0	0	0	0	0	0	0	0	0	0	0	0	0

t														
<b>Criminal Offenses</b>														
Bribery	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	1	0	0	0	1	0	0	0	0	0	2
Intimidation (incl. threats, bomb threats)	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Counterfeiting/Forgery	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism	1	1	1	0	0	0	1	0	0	0	0	0	0	4
Larceny: Purse Snatching	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny: Shoplifting	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny: Theft from Motor Vehicle	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny: Theft of Motor Vehicle Parts/Accessories	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Larceny	4	0	2	1	1	1	0	2	0	3	1	0	0	14
<b>Disorderly Conduct</b>														
Disorderly Conduct	0	0	0	0	1	0	0	1	0	1	2	0	0	5
<b>Trespass of Real Property</b>														
Trespass of Real Property	0	0	1	0	2	0	0	0	0	0	0	0	0	3
<b>All Other Offenses</b>														
All Other Offenses	2	0	2	4	4	0	0	1	0	1	1	0	0	15

## **CRIME AND EMERGENCY REPORTING PROCEDURES**

The following describes current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus.

### **TO REPORT CRIMES OR EMERGENCIES**

South Seattle College strongly encourages accurate and prompt reporting of all crimes and public safety related information and takes all such reports seriously. Information to be reported should not be limited to actual crimes; it also includes any suspicious activity or person seen anywhere on or near campus, including in parking lots.

The Campus Public Safety Office may be contacted as follows:

- Telephone: 206-934-0911
- In person at Campus Safety
  - Robert Smith Building room 62A (weekdays)
  - 206-934-0911 (nights and weekends)
- The Seattle Police Department may be contacted as follows:
  - Emergency telephone: 9-1-1
  - Non-emergency telephone: 206-625-5011

### **CAMPUS SECURITY AUTHORITY**

To ensure that campus crime is not underreported, the Clery Act requires campus crime statistics include any crime that is reported to local police agencies or campus security authorities—a broad designation that potentially includes many institutional personnel.

The 1999 final regulations define a campus security authority as—

- a campus police department or a campus security department of an institution,
- any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department, such as an individual who is responsible for monitoring entrance into institutional property,
- any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses, or
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

At SSC, the Director of Campus Safety & Security is the lead Campus Security Authority as well as the Campus Security Survey Administrator.

At SSC, the following employees also fall into the category of Campus Security Authority because they have significant responsibility for student and campus activities:

- Activity Center Coordinator
- All Childcare Learning Center Staff
- All Program Advisors
- Campus Safety Staff
- All Deans

- Dean of Professional/Technical Ed
- Director of Basic Skills
- Vice President of Student Services
- Director of STEM
- Director of Student Activities
- Director of TRiO Student Support Services
- Evening Administrator
- Director of Trio/Upward Bound
- Director of WorkForce
- President of the College
- TRIO Academic Advisors
- Vice President of Finance and Administrative Services
- Vice President of Instruction/Student Services

### VOLUNTARY ANONYMOUS REPORTING

The Campus Safety Office encourages anyone who is a victim or witness to any crime to promptly report the incident as described above. Because these reports are public records under state law, the Campus Safety Office cannot hold reports of crime in confidence.

If you are the *victim* of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making an anonymous report. Anonymous reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made as described below.

- **SSC Counseling Center** provides limited confidential counseling services. These services include providing information on how to file an official report for investigation.
- Counseling Center professionals are not “Campus Security Authorities” and are not required to report crimes for inclusion in the annual Clery report. However, South Seattle College encourages Counseling Center professionals to inform recipients of their services about how to provide anonymous reports.
- SSC does not have pastoral counselors who provide confidential counseling services. Therefore it does not encourage those counselors to inform recipients of their services about how to provide anonymous reports.
- SSC counselors can assist sexual assault victims and provide similar information on how to file an official report for investigation. Counselors can also assist victims of sexual assault, domestic violence, dating violence and stalking obtain protection orders through the court system.

### HOW SSC PROVIDES TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

#### TIMELY WARNING

When the Campus Public Safety Office learns of crimes covered by the Clery Act, it will consider whether to issue a campus-wide “**timely warning**” about the threat. The purpose of a Timely Warning is to alert the community of a crime or crimes that have occurred and offer the community advice and guidance on protecting itself).

A “timely warning” may be issued if, in the judgment of the Director of the Campus Safety or a College administrator, a crime or potential crime constitutes a serious or continuing threat to the campus community. Whether to issue a timely warning (and the content of the warning) is decided on a case-



by-case basis, considering all the facts, including the nature of the crime, the continuing danger to the campus community, the promotion of safety, and the possible risk of compromising law enforcement efforts.

Timely warnings may be issued in a variety of methods, depending on the circumstances of the crime. These can include:

- **SSC Campus Alert System** (Campus-wide E-Mail, Text Messages, Twitter, Facebook and RSS- capable devices) – Disseminated by the Campus Safety Office, South Seattle Technology Department or the Office of Public Information.
- **Printed Notice** – when appropriate may be posted at campus locations affected by the emergency.
- **Local Media** – may also be provided information when the risk of harm in a particular incident can reasonably be expected to extend to off-campus areas.

### EMERGENCY NOTIFICATIONS

If any other significant emergency or dangerous situation occurs on campus that, in the judgment of the Director of the Campus Safety or a College administrator, creates an immediate threat to the health or safety of students or employees, or otherwise warrants a notification, an “**emergency notification**” will be issued. For example, emergency notifications may include notices of a fire, gas leak, or an outbreak of a communicable disease, as well as a notice of a Clery-reportable crime. An emergency notification will be sent to the areas of campus subject to the threat. This may include part or all of the campus, or may be rolling as the threat changes. Emergency notifications will be broadcast via the BBCC Campus Alert System. BBCC may also use the other means of notification described above to effectively notify the campus community. Further information about emergency notifications is included in the Emergency Response & Evacuation Procedures section of this report.

SSC encourages all students, faculty and staff to sign up for the SSC Campus Alert System by logging into <https://www.getrave.com/login/seattlecolleges>.

### VICTIM NAMES HELD IN CONFIDENCE

SSC will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law.

Regarding Timely Warnings and Emergency Notifications, South will not disclose the names of crime victims and the college will withhold the names of victims as confidential to the fullest extent of the law.

### SECURITY OF CAMPUS FACILITIES, INCLUDING RESIDENCE HALLS

The College is committed to the safety and security of all members of its community by maintaining the security of its facilities and physical environs. South Seattle College utilizes keys to control entry into all operational buildings, most computer labs, and some classrooms. The system is administered by the Facilities Office.

The Director of Facilities provides direction and oversight to the planning, management, and coordination of key control for the College facilities *except residence halls*. Individual units and departments determine who is authorized to request and obtain a key to their respective areas and submit appropriate approvals to the Director of Special Projects. Those individuals will receive a key(s),

including, as appropriate, access cards or codes and/or hard keys. Key request forms are available in the Business Office.

The overall goal of access control is to provide a reasonable level of security for the College and, at the same time, allow as much freedom of access as possible to the campus community. While maintaining a welcoming and hospitable campus environment, the College will control access to its facilities in an effort to accomplish the following objectives:

- Promote and maintain the safety and security of College faculty, staff, students and visitors;
- Prevent crime where possible, deter that crime that cannot be prevented, and Provide tools and information to support investigations and law enforcement;
- Protect College property and assets commensurate with their value;
- Protect and secure College records;
- Protect the integrity and operation of College systems and related infrastructure;
- Protect the integrity of College research projects; and
- Provide governance for access control, safety, and surveillance decisions during normal day-to-day campus operations, campus construction, and remodeling of campus spaces.

The purpose is to establish procedures/policies pertaining to granting Access Devices to College facilities; assign responsibility of authorizing access; and implement procedures for the physical security and control of access that has been granted.

#### **SECURITY CONSIDERATIONS USED IN MAINTENANCE OF CAMPUS FACILITIES**

Facilities and Maintenance provides maintenance, repair, landscaping and custodial services for academic facilities and grounds, provides construction and renovation project support, and manages tenant-occupied spaces on campus. Facilities and maintenance role in Access Control includes issuing keys, repairing and installing locks, and installing and maintaining card access readers.

#### **CAMPUS LAW ENFORCEMENT AUTHORITY**

South Seattle College Campus Safety employs full-time and part-time Campus Security Officers. These officers are non-commissioned and unarmed pursuant to state law. Officers are granted authority by the College President to:

- patrol and protect all persons and facilities on campus;
- demand identification to determine if a person is a student (WAC 132F-121-110);
- give Notice Against Trespass to a person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from entering onto or remaining upon all or any portion of a college facility, which college facility is owned and/or operated by the college.
- impound illegally parked vehicles (WAC 132F-116-130).

The Seattle Police Department (SPD) is a fully empowered law enforcement agency and has jurisdiction throughout the campus. SSC and SPD work together closely to provide law enforcement and security services to the campus.

The Seattle Police Department has full responsibility for investigation of criminal activity on campus, including reports of sexual violence on campus.

## **CRIME AND SECURITY AWARENESS AND PREVENTION PROGRAMS**

Crime prevention programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. The Campus Safety office facilitates programs for student, parent, faculty and new employee orientations. Student and community organizations provide a variety of educational strategies and tips on how to protect oneself from sexual assault, theft and other crimes.

During start-of-quarter Student Orientation, students are informed of services offered by the College. During these sessions, the Campus Safety office provides information and tips to maintain personal and property safety. Throughout the school year, the Campus Safety office, in cooperation with other College organizations and groups, present crime prevention awareness sessions addressing concerns such as sexual assault and theft. These groups include staff, faculty, international students, and student organizations.

South Seattle College Campus Safety office places campus security and safety as important priorities. The Campus Safety office will strive to provide students with a safe environment in which to learn.

## **ENFORCEMENT POLICIES RELATED TO ALCOHOL AND ILLEGAL DRUGS**

### **ALCOHOL USE POLICY**

As part of its educational mission, the College is committed to providing an environment which promotes academic, social, and personal development and recognizes that faculty and staff all contribute to learning. The College holds the belief that the illegal use or abuse of alcohol, and the use of illegal drugs, poses a direct threat to its learning environment.

Under South's Student code of conduct violations (WAC132F-121-110) *"Any student shall be subject to immediate disciplinary action provided for in code procedures and summary suspension rules who, either as a principal actor or aider or abettor... Commits any of the following acts which are hereby prohibited: Possessing, consuming, being demonstrably under the influence of, or furnishing any form of alcoholic beverages on college-owned or controlled property or at college-sponsored or supervised functions where prohibited by the college's current alcohol policy."* The College recognizes that the irresponsible use of alcohol places the individual and the community at a greater risk for injury, health problems, and other damage. Alcohol use is not an excuse for infringing on the rights of others or damaging College property. The College will pursue sanctions for alcohol-related misconduct, through the Student Code of Conduct or employee disciplinary procedures, as appropriate.

It is the express policy of South Seattle College to prohibit alcoholic consumption by employees, officers, or volunteers during normal working hours (or when performing normal job duties). Limited exceptions exist for some alcohol use during events on College-owned property and grounds. Such use is strictly regulated and will be allowed only with the appropriate prior approvals and in compliance with all applicable laws.

### **DRUG USE POLICY**

The use and sale of illicit drugs by students and employees is strictly prohibited in accordance with federal and state regulations and laws. Any student or employee found to be using, possessing, manufacturing, or distributing controlled substances in violation of the law on College property or at College events may be subject to both administrative disciplinary actions and criminal proceedings. All drug related violations by students, on campus, and at College sponsored events off campus may be

handled under procedures outlined in the Student Conduct Code. The College will take appropriate personnel actions for infractions by employees, up to and including termination. Violations of state and federal laws may be referred to the appropriate authorities.

### **ALCOHOL AND DRUG ABUSE EDUCATION PROGRAMS**

The College is committed to the provision of substance abuse education and prevention activities. In compliance with the Drug Free Schools Act Amendment of 1989.

Counseling is provided to students with a variety of information and services from pamphlets and presentations to assessment, consultation and referral for treatment. These services are available on a strictly confidential basis. Employees have access to alcohol and drug abuse resources through the Employee Assistance Program.

### **EMERGENCY RESPONSE & EVACUATION PROCEDURES**

If any other significant emergency or dangerous situation occurs on campus that, in the judgment of the Director of the Campus Safety or the College Administration, creates an immediate threat to the health or safety of students or employees, or otherwise warrants a notification, an emergency notification will be issued. For example, emergency notifications may include notices of a fire, gas leak, or an outbreak of a communicable disease, as well as a notice of a Clery-reportable crime. An emergency notification will be sent to the areas of campus subject to the threat. This may include part or all of the campus, or may be rolling as the threat changes. Emergency notifications will be broadcast via the South's-Alert system. South may also use the other means of notification described above to effectively notify the campus community.

Taking into account the safety of the community, South will determine the content of the notification and immediately initiate the notification system. South Seattle College will not immediately issue a notification, in the professional judgment of responsible authorities (including Campus Public Safety and College administration), compromise efforts to assist a victim(s), obtain suspect(s), respond to, or otherwise mitigate the emergency. Once these tasks are met, a notification will be issued.

The South's Multi Hazard Plan establishes an organizational structure for response to emergencies that cause a significant disruption of College "normal operations." This plan reflects South Seattle College's efforts to coordinate response internally and with external response agencies (i.e. City, County, etc.).

Campus Safety works in concert with local emergency response agencies to coordinate appropriate incident response and including external agencies in drills.

### **TESTING AND EXERCISES**

Tests of the Campus Alert System are conducted monthly and at times weekly. These tests ensure the operation of the system and raise community awareness of the system.

Evacuation drills are conducted quarterly. These drills provide students and employees with a chance to familiarize themselves with evacuation routes and meeting points.

- Based on fire code classification, some campus buildings are drilled more frequently.  
Campus Safety, use these drills as a chance to test systems and egress strategies.

### **FOLLOW-UP AND RECORD KEEPING**

After each drill, a report is generated identifying successes and areas for improvement. The Director of Campus Safety and Security maintains these records.

**NOTIFICATION TO SOUTH'S LARGER COMMUNITY ABOUT AN IMMEDIATE THREAT**

The Campus Alert System provides South with a robust emergency communication mechanism. Any South student, faculty or staff may update their information on the South's Alert emergency notification system by logging into [www.seattlecolleges.edu/alerts](http://www.seattlecolleges.edu/alerts).

The Campus Alert System is an emergency notification system used to send emergency alerts, notifications and updates to campus community via text, e-mail and social media. South community members can add multiple points of contact (text and email) to their Campus Alert System notification system account. This mechanism is used to provide the college with timely and accurate information.

In the event of an emergency, (fire, inclement weather, etc.) Campus Safety begins coordinating response. Campus Safety alerts the senior college administrators of the situation. Campus Safety then confers with appropriate College personnel to craft an appropriate message to send to the College Community via the Campus Alert System. Some messages are also pre-scripted for immediate use.

**EDUCATION OF MEMBERS OF THE COLLEGE COMMUNITY**

Campus Safety presentations are provided at new student orientation by Campus Safety staff. Campus Safety also provides several types of training for employees and students. These courses include

- the core principles of Emergency Management (ICS 100, 200, 300, 700, 800);
- analysis/discussion of what is occurring at the college in regards to emergency management; and
- resources to develop plans, mitigate problems and create an active dialogue on difficult issues.

South also offers local public safety agencies the opportunity to train and practice tactics on the College campus.

## LOCKDOWN PROCEDURES

During certain emergency situations, you will be directed via Campus ALERT to “Lockdown” rather than evacuate the building, until an all clear has been given. “Lockdown” is a way for people to make the building as safe as possible in order to protect themselves until help arrives. It is important to remember these steps when initiating a “Lockdown”.

**S:** Secure your area, lock doors and windows, close blinds, prevent suspect from accessing victims.

**T:** Take cover, hide, and stay out of sight

**A:** Advise others so that they can take steps to protect themselves; await further information.

**Y:** You must take measures to protect your safety.

- Go or stay inside the building, do not use elevators.
- Select a room(s), which is easy to seal, has a water supply and access to restrooms, or a corridor where there are no windows.
- Lock and barricade doors, turn off lights, close blinds, block windows.
- Turn off radios and computer monitors.
- Keep occupants calm, quiet, and out of sight, mute cell phones.
- Keep yourself out of sight and take adequate cover/protection (i.e. concrete walls, thick desks, and filing cabinets)
- Turn off the heat, air conditioning or ventilation system if possible.
- Quickly locate supplies you may need, e.g., food, water, radio, etc.
- If you smell gas or vapor, hold a wet cloth loosely over your nose and mouth and breath through it.
- If possible, monitor for additional information via radio or television for further instructions.

The Campus website contains safety and security information including specific information related to responses to targeted violence and provides presentation on this topic upon requests from members of the College community.

## DEFINITIONS

**Missing Person** - Any person or child who is missing voluntarily, involuntarily or under circumstances not conforming to his or her ordinary habits or behavior and who may be in need of assistance.

**At-Risk/Endangered** - Includes, but is not limited to, evidence or indications of any of the following:

- 1) The person is missing under suspicious circumstances and may be victim of a crime or foul play.
- 2) The person missing is in need of medical attention or medication without which he/she may experience serious medical problems.
- 3) The person missing has no pattern of running away or disappearing

- 4) The person missing may be the victim of a parental abduction or is otherwise believed to be in the company of a person considered to be dangerous to the missing person.
- 5) The person missing is mentally impaired or considered to be a danger to self or others.
- 6) The person is likely to have been the victim of a boating, swimming or other similar accident, or may be a victim of a natural disaster.

**Child** - While Washington considers a child to be a person under eighteen years of age, for purposes of this section, federal law considers any person under the age of twenty-one years to be a child.

#### **REPORT ACCEPTANCE AND INITIAL INVESTIGATION**

There is no waiting period. Campus Safety will accept all reports of missing persons and will not refuse to accept any report of missing person solely on the basis that:

- 1) The missing person(s) is an adult;
- 2) The circumstances do not indicate foul play;
- 3) The person(s) has been missing for a short period of time;
- 4) The person(s) has been missing for a long period of time;
- 5) There is no indication that the missing person(s) was on campus at the time of the disappearance.

The employee accepting the missing person report should request initial information from the reporting party information or material likely to be useful in identifying the missing person including but not limited to:

- 1) The name of the missing person(s) (including alternative names used);
- 2) The date of birth;
- 3) Identifying marks (such as birthmarks, moles, tattoos, scars, etc.);
- 4) Height and weight;
- 5) Gender;
- 6) Race;
- 7) Current hair color and true or natural hair color;
- 8) Eye color;
- 9) Prosthetics, surgical implants, or cosmetic implants;
- 10) Physical anomalies;
- 11) Blood type (if known);
- 12) Driver's License number (if known);
- 13) Social Security number (if known); credit card numbers;
- 14) A photograph of the missing person(s) (recent full-face photographs are preferable; the agency is encouraged to attempt to ascertain the approximate date the photograph was taken);
- 15) A description of the clothing the missing person(s) was believed to have been wearing;
- 16) A description of items that might be with the missing person(s) (jewelry, accessories, shoes or boots, etc.);
- 17) Information on the missing person's(s') electronic communications devices, such as, but not limited to, cell phone numbers, e-mail addresses, etc.;
- 18) The reasons why the reporting person(s) believes that the person(s) is missing;
- 19) Name and location of the missing person's(s') school or employer (if known);
- 20) Any circumstances that may indicate that the disappearance of the missing person(s) was not voluntary;
- 21) Any circumstances that indicate that the missing person(s) may be at risk of injury or death;

- 22) A description of the possible means of transportation of the missing person(s) (including make, model, color, license plate number, and VIN of a vehicle);
- 23) Any identifying information about a known or possible abductor and/or person(s) last seen with the missing person(s), including:
  - a) Name;
  - b) Physical description;
  - c) Date of birth;
  - d) Identifying marks;
  - e) Description of a possible means of transportation (including make, model, color, license plate number, and VIN of a vehicle);
  - f) Known associates.
- 24) Any other information that can aid in locating the missing person(s); and
- 25) Date of last contact.

The employee gathering this information will ensure that the Seattle Police Department is immediately notified to conduct and coordinate the investigation.

## **STALKING, D.V. AND RAPE POLICY, PROGRAMS AND PROCEDURES**

### **POSITION STATEMENT**

Rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking are violations of the law and are subjected to disciplinary action and penalties under Washington State laws.

### **PRIMARY PREVENTION AND AWARENESS PROGRAMS**

**Primary prevention** is a program of activities directed at improving general well-being while also involving specific protection for a selected problem.

South's Sexual Assault Prevention and Awareness Program ("awareness training") is a formal process for educating employees about domestic violence, dating violence, stalking and sexual assault prevention.

In an effort to educate the campus community about sexual assault (including prevention and awareness of sex offenses, procedures to follow if a sex offense occurs, procedures for on campus disciplinary action, possible sanctions, and distribution), resources and campus-sponsored awareness programs are offered on an ongoing basis throughout the year for incoming students and employees through our Women's Program.

SSC's SEXUAL ASSAULT PREVENTION AND AWARENESS PROGRAM reinforces the College's commitment to eliminate incidents of sexual assault through a comprehensive practice that centers on awareness and prevention, training and education, victim advocacy, response, reporting, and accountability. The policy promotes sensitive care and confidential reporting for victims of sexual assault and accountability for those who commit these crimes. For the purposes of this policy, confidentiality or confidential reporting is defined as allowing a victim to report a sexual assault to specified individuals (see CAMPUS SECURITY AUTHORITIES later in this document). This reporting option gives the victim access to medical care, counseling, and victim advocacy, without initiating the investigative process.

The objectives of the SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM are to—

1. increase awareness sexual assault
2. teach sexual assault risk reduction strategies



3. provide information about what a person should do in the event of a sexual assault

- Define the terms “awareness programs,” “bystander intervention,” “ongoing prevention and awareness campaigns,” “primary prevention programs,” and “risk reduction.”

**SAFE AND POSITIVE OPTIONS FOR BYSTANDER INTERVENTION**

**Bystanders** are “individuals who observe violence 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.”<sup>1</sup> “They are someone who is present and thus potentially in position to discourage, prevent, or interrupt an incident.”<sup>2</sup>

**Bystander intervention** is the act of feeling empowered and equipped with the knowledge and skills to effectively assist in the prevention of sexual violence. Bystander intervention doesn’t have to jeopardize the safety of the bystander. <sup>2</sup>

Bystander intervention and “bystander education programs teach potential witnesses safe and positive ways that they can act to prevent or intervene when there is a risk for sexual violence. This approach gives community members specific roles that they can use in preventing sexual violence, including naming and stopping situations that could lead to sexual violence before it happens, stepping in during an incident, and speaking out against ideas and behaviors that support sexual violence. It also gives individuals the skills to be an effective and supportive ally to survivors after an assault has taken place.”<sup>3</sup>

“Someone who sees a situation but may or may not know what to do, may think others will act or may be afraid to do something.”<sup>2</sup> “It is important to note that when sexual assault prevention educators talk about bystanders, they typically mean people who know each other, such as friends, classmates, colleagues, or members of sports teams. The dynamics of bystander behavior – and the impediments to action – are very different when people know the perpetrator or victim, versus when they are strangers.”<sup>2</sup> Bystander intervention can be something as small as a young adult telling his/her friend that his/her sexist language is offensive or as great as a college student calling the police if s/he witnesses an act of sexual violence from a dorm window. Regardless of the level of intervention, there are safe ways to help prevent sexual violence.

**RECOGNITION OF SIGNS OF ABUSIVE BEHAVIOR**

HEALTHY, AGE APPROPRIATE, MUTUALLY RESPECTFUL, SAFE	MUTUALLY FLIRTACIOUS AND PLAYFUL	AGE INAPPROPRIATE OR NON-MUTUAL	HARASSMENT	SEXUALLY ABUSIVE AND VIOLENT
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As the chart above illustrates, sexually abusive and violent behaviors fall on the far end of a continuum of behaviors. There are a number of ways active bystanders can either say or do something in each category of negative behaviors on the continuum. “There are literally hundreds of little comments,

<sup>1</sup> Banyard, V. L., Plante, E. G., & Moynihan, M. M. (2004). *Bystander education: Bringing a broader community perspective to sexual violence prevention*. Journal of Community Psychology, 32, 61–79.

<sup>2</sup> Katz, J. (2011, December 01). *Penn State: The mother of all teachable moments for the bystander approach*. Retrieved from [http://www.jacksonkatz.com/pub\\_pennstate.html](http://www.jacksonkatz.com/pub_pennstate.html)

<sup>3</sup> National Sexual Violence Resource Center, (2011). *It’s time to incorporate the bystander approach into sexual violence prevention*. Retrieved from National Sexual Violence Resource Center website: <http://www.nsvrc.org/saam>

harassments, and other forms of abuse that lead up to what we think of as the sexually violent act.”<sup>4</sup> Therefore, bystanders have time to intervene and work to prevent sexual violence from occurring.

On the left-hand side of the continuum lie respectful, mutual and age-appropriate behaviors while violent, coercive, and non-mutual behaviors lie on the right-hand side. Bystanders have an ability to intervene within this continuum of behaviors to help promote positive behavior and mitigate negative behavior before it escalates.<sup>5</sup> Bystander intervention approaches help people recognize healthy and unhealthy behaviors that could potentially lead to sexual violence and how they could effectively intervene before the negative behavior escalates.

Bystander intervention can play a significant role in a comprehensive approach to sexual violence prevention. It differs from previous approaches in three key ways<sup>5</sup>:

- 1) Bystander intervention discourages victim blaming and makes sexual violence a community problem, rather than an individual problem.<sup>5,5</sup>
- 2) Bystander intervention can play a significant role in a comprehensive approach to sexual violence prevention. When bystanders are approached as allies in ending sexual violence, rather than as potential perpetrators or victims, they are less likely to become defensive.<sup>6,7</sup>
- 3) Bystander intervention plays a role in helping to change social and community norms.<sup>5</sup> Bystander intervention is also influenced by the Theory of Planned Behavior (TPB). The TPB addresses the intention of a bystander to effectively intervene in a sexual violence situation. According to the TPB, active bystander behavior will be influenced if the bystander:
  - has individual attitudes and beliefs that oppose sexual violence,
  - perceives that the social norm is to intervene when sexual violence occurs, and
  - believes that he/she has the knowledge and skills to effectively intervene, and has the intention to intervene.<sup>8</sup>

Bystanders are more likely to “engage in pro-social behavior” when they are aware that there is a problem and they see themselves as a responsible party in solving the problem.<sup>6</sup>

This theory is demonstrated by the situational model, developed by Latane and Darley (1970), which is the most commonly used bystander intervention model. The model outlines the following five steps:

- 1) Recognize signs that an act of sexual violence may occur or is occurring.
- 2) Identify that the potential victim is at risk and that intervention is appropriate.
- 3) Decide whether or not to take responsibility to intervene.
- 4) Decide the most appropriate and safest way to intervene.
- 5) Implement the decision to intervene safely to diffuse the situation.

<sup>4</sup> Tabachnick, J. (2008). *Engaging bystanders in sexual violence prevention*. Enola, PA: National Sexual Violence Resource Center.

<sup>5</sup> Banyard, V. L., Moynihan, M. M., & Plante, E. G. (2007). *Sexual violence prevention through bystander education: An experimental evaluation*. *Journal of Community Psychology*, 35(4), 463-481.

<sup>6</sup> Banyard, V. L., Plante, E. G., & Moynihan, M. M. (2004). *Bystander education: Bringing a broader community perspective to sexual violence prevention*. *Journal of Community Psychology*, 32, 61-79.

<sup>7</sup> Berkowitz, A. D. (2002). *Fostering men’s responsibility for preventing sexual assault*. In P. A. Schewe (Ed.), *Preventing violence in relationships: Intervention across the lifespan* (pp. 163-196). Washington, DC: American Psychological Association.

<sup>8</sup> Powell, A. Victorian Health Promotion Foundation (VicHealth), (2011). *Review of bystander approaches in support of preventing violence against women*. Retrieved from Victorian VicHealth website: <http://www.vichealth.vic.gov.au/pvaw-bystander>

**HOW TO AVOID A POTENTIAL ATTACK**

Rape or sexual assault can happen to anyone, woman or man, and it's never the victim's fault. It's important to know that...

- Alcohol is a factor in almost all sexual assaults on college campuses.
- Many perpetrators of sexual assault are someone the victim knows.
- Sexual assaults can happen on a date or at a party.

There's no absolute way to prevent sexual assault, but it helps to think about how you can stay safe.

**TIPS FOR PARTYING SMART**

- 1) Stick with your friends.
- 2) Make a plan before you go out. Set up checkpoints or code words to make it easy for you and your friends to stay connected.
- 3) Hold on to your drink—even when you go to the bathroom.
- 4) If your drink is out of your sight, even for a few seconds, get a new one. Spiking a drink with a date rape drug can happen quickly.
- 5) Don't accept a drink from anyone—unless you can watch the bartender pour it.
- 6) Don't share drinks.
- 7) Don't drink from punch bowls or open containers.
- 8) Don't drink anything that tastes strange.
- 9) Avoid clubs or parties that charge men but let women enter and drink for free.
- 10) Always keep your cell phone charged and on you. You never know when you'll need it.
- 11) Make sure you always have a ride home or a plan to walk home with a friend or roommate.
- 12) Trust your instincts. If something doesn't feel right to you, leave and get to a safe place immediately.

**TIPS FOR DATING SMART**

- 1) Know your limits—and let your date know them right from the start.
- 2) Be clear about what's okay for you. Don't expect your date to read your mind.
- 3) Trust your gut. If you feel uncomfortable, leave.
- 4) Don't get in over your head. If someone pushes you to do something you don't want to do, you have the right to leave.
- 5) Stay in control. Alcohol is the most common date-rape drug. In fact, alcohol is involved in 75 percent of all sexual assaults reported.
- 6) Tell a friend where you are going, especially if you're going out on a first date or a blind date.
- 7) Avoid secluded places until you know your date better.
- 8) Always charge your cell phone and keep it on you.
- 9) Always carry enough money to take a taxi home.
- 10) Pay attention to what you hear. A person may have a bad reputation for a reason.

**AVOIDANCE STRATEGIES**

You can't always avoid date rape. However, there are things you can do to minimize the risk of sexual assault.

- 1) **Be aware of controlling behavior in your date or relationship.** Rape is a crime of power and control. Most rape survivors recall feeling “uncomfortable” about some of their partner’s behaviors including:
  - Intimidating stares.
  - Degrading jokes or language.
  - Refusal to respond to stated physical limits.
  - Refusal to accept “no” as an answer, whether in a sexual context or otherwise.
  - Insistence on making all of the “important” decisions about the relationship or date.
  - An unwillingness to interact with you as a person rather than a sexual object.
  - Extreme jealousy, possessiveness.
  - Strong belief in sex role stereotypes.
  - A history of violent behavior.
- 2) **Define yourself and your sexual limits.** Your sexual limits are yours alone to define. The first step in preventing abuse is to define your limits clearly to yourself and then to act quickly when a date or partner intentionally or unintentionally crosses your stated boundaries.
- 3) **Set clear limits and be firm.** It is your body, and no one has the right to force you to do anything you don’t want to do. Many people have difficulty confronting coercive behavior because they have been socialized to be “polite”. If you do not want to be touched, you can say, “Don’t touch me,” or “Stop it, I’m not enjoying this.” Tell your partner, “If you do not respect my wishes right now, I’m leaving” and then do it if your partner won’t listen.
- 4) **Do not give mixed messages.** Say “yes” when you mean “yes” and “no” when you mean “no.” Be sure that your words do not conflict with other signals such as eye contact, voice tone, posture or gestures.
- 5) **Be independent and aware on your dates.** Do not be totally passive. Have opinions about where to go. Think about appropriate places to meet, (not necessarily your room or your date’s; these are the most likely places for acquaintance rapes to occur).
- 6) **Examine attitudes about money and power in the relationship.** If your partner pays for the date, does it affect your ability to say “no?” Does your date have a sense of sexual entitlement attached to spending money on your relationship? If so, then you may consider paying your own way, or suggesting dates that do not involve money.
- 7) **Avoid secluded places where could be vulnerable.** If you are unsure of a new person in your life or if this person has exhibited some of the controlling behaviors listed above, suggest a group or double date. Meet in public places, where there are other people and where you feel comfortable. This is especially important at the beginning of a relationship until you feel you know the person better.
- 8) **Trust your gut feelings.** If you feel you are in a dangerous situation, or that you are being pressured, you’re probably right, and you need to respond. Many rape survivors report having had a “bad feeling” about the situation that led to their victimization. If a situation feels bad or you start to get nervous about your date’s behavior, confront the person immediately or leave as soon as possible.
- 9) **If you feel pressured, coerced or fearful: protest loudly, leave and, go for help. Make a scene!** Your best defense is to attract attention to the situation if you feel you are in trouble. In an attempt to be nice or avoid embarrassment, you may be reluctant to yell or run away to escape being attacked. If you are worried about hurting the aggressors’ feelings, remember, the aggressor is attempting to hurt you physically and psychologically.

- 10) **Be aware that alcohol and drugs are often related to acquaintance rape.** They compromise your ability (and your partner's ability) to make responsible decisions. If you choose to drink alcohol, drink responsibly. Be able to get yourself home, and do not rely on others to "take care" of you.
- 11) **Be aware of inequalities in the relationship.** Rape is a violent display of power. Does your partner perceive differences in terms of money, experience and age as entitling them to power over you in the relationship? Someone who rapes chooses to enforce such power imbalances in a sexual context.
- 12) **Practice self-defense.** Knowing in advance how you would respond to a physical threat greatly increases your chances of escape. Anyone can learn self-defense and classes are often available free or at a low cost through schools and community context.
- 13) **Challenge sexist attitudes that make rape acceptable.** People often deny the assailant's responsibility in a rape by blaming the victim. People may do this to convince themselves that only "bad" people are at risk for rape and that as long as they live their lives by certain moral standards, they are safe. The truth is that as long as one person is at risk for rape, everyone is a potential target of violence. People can resist rape by challenging the attitude that those who are raped "deserve" to be victimized, and by intervening on behalf of those in danger.

*REMEMBER: If your prevention strategies do not work, it is not your fault if you are raped. At any point when you are in a vulnerable situation, your partner has a range of choices, if your partner chooses to rape, that choice is 100% your partner's responsibility.*

#### CAMPUS SAFETY OFFICE

A Memorandum of Understanding exists between the South and the Seattle Police Department which specifies the Seattle Police Department is the primary criminal investigation agency on campus.

#### WHAT TO DO IF YOU ARE ATTACKED

The following advice is applicable for all forms assaults, whether sexual or the result of domestic violence, dating violence, or stalking.

- 1) **Get Help!** This is not the time to be alone. Get in touch with someone you trust. You can call Campus Safety for assistance, 206-934-0911.
- 2) **Get medical attention.** You can call 9-1-1 for an ambulance or have someone take you to Harborview Hospital. In both cases completely confidential services are provided. Harborview will have SANE (Sexual Assault Nurse Examiner) nurses.
- 3) **Preserve evidence.** It is better if you DO NOT shower, clean yourself or change clothes. Go as soon as possible, to Harborview Hospital to be examined and treated for possible sexually transmitted diseases. You may have internal injuries which you are not aware of. If you decide to press charges, physical specimens collected soon after the rape will be valuable evidence. Completing the evidence collection does not commit you to filing charges.
- 4) **Seattle Human Services Domestic Violence and Sexual Assault Services** in Seattle provides the following confidential services:
  - **24-Hour Crisis Line:** Available for victims of domestic violence and sexual assault, 24 hours a day, seven days a week. 206-461-3222 or [www.CrisisClinic.org](http://www.CrisisClinic.org)

- *Medical Advocacy:* Trained advocates will accompany victims of domestic violence and sexual assault to medical facilities.
  - *Legal Advocacy:* Advocates support the individual's choice regarding reporting the crime. Advocates provide information about the legal system and are available to accompany and support the victim throughout the legal process.
  - *Community Advocacy:* New Beginnings can provide referrals to therapists who are experts in providing care to survivors of sexual assault. New Beginnings makes referrals to other agencies that can provide help and support to victims of domestic violence and sexual assault. Trained advocates can provide personal support, emergency shelter, food and clothing. Therapy sessions can be offered to survivors so they may express their feelings, thoughts and fears. Web address [http://www/newbegin.org](http://www.newbegin.org)
  - *Support Groups:* Seattle Domestic Violence and Sexual Assault provides peer support groups for victims of domestic violence and sexual assault. Call 206-386-1001 for the location of the one nearest you.
- 5) **Report the attack to Campus Safety**, whether or not you plan to pursue criminal charges or an on-campus complaint. Have someone go with you. Sexual assault is a crime and we encourage all students and employees to report. College officials will help you file charges with the police and/or with the campus authorities.
- Title IX Coordinator: 206-934-6415
  - Campus Safety: 206-934-0911
  - Seattle Police Department: 9-1-1 or 206-625-5011 (non-emergency)

#### REPORTING PROCEDURES FOR SEXUAL ASSAULT

South students have several reporting options available to them to report sexual assault or other sex offenses reports of sexual assault or other sexual abuse by law are not confidential:

- 1) Reporting to South's **Campus Safety**
  - 206-934-0911
  - In person in the Robert Smith Building room 62A
- 2) Reporting directly to the **Seattle Police Department**
  - Emergency number: 9-1-1
  - Non-emergency number: 206-625-5011
  - South will assist victims in notifying Seattle Police Department, if the student requests assistance.
- 3) Reporting anonymously to the **Counseling Center**
  - By phone: 206-934-5387
  - In person the Robert Smith Building
- 4) Filing a Student Conduct Code Complaint via the Office of the **Vice President of Student Services** (for incidents perpetrated by SSC students) or campus Security.
  - By phone: 206-934-6788
  - In person in the Robert Smith Building room Robert Smith Building room 058
- 5) Filing a complaint with South Seattle College's **Title IX Coordinator**

- By phone: 206-934-6415
- In person in the Robert Smith Building room 200

#### **PRESERVATION OF EVIDENCE**

Preserving evidence of a sex offense is time critical. South Seattle College encourages victims to consider this when determining their method of reporting. Evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

#### **PROHIBITED RETALIATION POLICY**

There shall be no retaliation against anyone who exercises rights under the Clery Act and Title IX.

#### **PROHIBITED DISCRIMINATION & HARASSMENT POLICY**

##### ***AP6115 Discrimination, Harassment and Sexual Harassment Complaint Process***

South Seattle College does not discriminate on the basis of race, sex, sexual orientation, gender identity/expression, religion, age, color, creed, national or ethnic origin, physical, mental or sensory disability, marital status, genetic information and/or status as a veteran.

Sexual harassment is a form of discrimination. Sexual harassment violates College policies, federal and state civil rights laws, and professional ethics. South Seattle College does not tolerate sexual harassment. Sexual harassment encompasses unwelcome sexual advances, unwelcome requests for sexual favors or requests for sexual favors in exchange for some benefit, and/or unwelcome verbal or physical conduct of a sexual nature. Sexual harassment occurs when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- Submission to or rejection of such behavior by an individual is used as the basis for employment or education decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or creates an intimidating, hostile or offensive work or educational environment.

South Seattle College retains the authority to discipline or take other appropriate action for any conduct that is deemed unacceptable or inappropriate, regardless of whether the conduct rises to the level of unlawful discrimination, sexual harassment, or retaliation.

The formal and informal complaint procedures are accessible to all BBCC faculty, students, staff, guests and visitors. Any complaint(s) filed under this policy must be made in good faith and be filed within six (6) months of the alleged act of discrimination, harassment and/or sexual harassment.

Employees or students who have cause to believe they are being subjected to unlawful discrimination, harassment and/or sexual harassment are encouraged to seek confidential advice and assistance as soon as possible by contacting the Human Resource.

When an informal or formal complaint is filed, the complainant and the alleged offender will fully cooperate with management and/or the investigator to help ensure a thorough and timely complaint process and resolution.

#### **Informal Complaint/Resolution**

Discrimination and/or harassment may take many forms; and the perpetrator may not understand that his/her behavior is being perceived as discriminatory or harassing. Therefore, any staff member, faculty member, or student who feels that she/he is being subjected to discriminatory or harassing behavior is encouraged to respectfully discuss the offensive behavior directly with the person involved.

If direct communication is either impractical, the person does not respond as desired, or the individual is uncomfortable discussing the issue with that person, then the individual may bypass the offending person and discuss the behavior directly with one or more of the following:

- Students may contact the Human Resources/Title IX Coordinator, VP for Instruction & Student Services, a Counselor or the college president for assistance.
- Staff/Faculty may contact their Supervisor/Director/Dean/VP, the Human Resources/Title IX Coordinator or the college president for assistance.

Any college official receiving a report or complaint of such a nature should immediately provide a copy of this policy to the complainant. Sexual harassment and other forms of discrimination are illegal activities requiring a response from the College, and as such must be reported to the Human Resources.

If the situation cannot be settled informally, the complainant may file a formal internal complaint. Employees and students are not required to utilize informal procedures, but may go directly to the formal complaint procedure. Students may wish to consult the Student Handbook for guidance in addition to this procedure.

### **Formal Complaint**

If informal complaint resolution does not occur or the problem persists, the individual should make a written complaint concerning allegations of discrimination, harassment, or sexual harassment Human Resources/Title IX Coordinator, VP of Instruction & Student Services or the college president.

In addition, South Seattle College encourages any individual who observes incidents of harassment or discrimination to immediately report what he or she has observed.

Any reports or complaints of discrimination, harassment and/or sexual harassment will be investigated. Different circumstances will produce different responses and levels of investigation.

If college officials determine that a violation of this policy has occurred, then the offending party will be subject to disciplinary action, up to and including termination/expulsion.

### **External Complaints**

Inquiries or appeals beyond the: institutional level may be filed with the following agencies or other agency with the jurisdiction to hear such complaints.

US Dept. of Education Office for Civil Rights  
Federal Office Building  
915 Second Ave., Room 3310  
Seattle, WA 98174-1099  
<http://www.ed.gov/ocr/>

U.S. EEOC  
Federal Office Building  
909 First Ave Suite 400  
Seattle, WA 98104-1061  
<http://www.eeoc.gov/>

Washington State Human Rights Commission  
Siegel Center District Office  
1500 Harvard Avenue  
Seattle, WA 98122  
<http://www.scd.ctc.edu/-humres>



**Confidentiality**

To facilitate the investigative process and protect the privacy of those involved, all information will be maintained in a confidential manner to the fullest extent permissible.

During an investigation, complaint information will only be disseminated on a need-to-know basis. Files subject to public disclosure will be released only to the extent required by law.

**Retaliation**

No one shall suffer penalty or retaliation for making or supporting a charge of discrimination, harassment or sexual harassment under this policy. Retaliation against any person for bringing forward or participating in the investigation of a complaint under this policy, including creating a hostile work environment, forms independent ground for taking appropriate disciplinary action. Retaliatory acts shall be reported to the Human Resources Office.

**Malicious or Frivolous Allegations Prohibited**

Members of the College community who knowingly make false or frivolous allegations of discrimination, harassment or sexual harassment will be subject to discipline. No complaint will be considered malicious or frivolous solely because it cannot be corroborated.

**CAMPUS DISCIPLINARY PROCEDURES****DISCIPLINARY ACTION FOR D.V., SEXUAL ASSAULT OR STALKING**

Require institutions to describe each type of disciplinary proceeding used by the institution; the steps, anticipated timelines, and decision making process for each type of disciplinary proceeding; and how the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault, or stalking;

**The Washington state verbiage has not been finalized.**

**BELOW IS THE INFORMATION REQUIRED BY VAWA (Violence Against Women Act) TO BE PART OF THE TEXT**

SSC will provide for a prompt, fair, and impartial disciplinary proceeding in which

- 1) Officials are appropriately trained on issues related to DV, dating violence, SA, and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
- 2) Officials do not have a conflict of interest or bias for or against the accuser or the accused;
- 3) The accuser and the accused have equal opportunities to have others present, including an advisor of their choice;
- 4) The accuser and the accused receive simultaneous notification, in writing, of the result of the proceeding and any available appeal procedures;
- 5) The proceeding is completed in a reasonably prompt timeframe;
- 6) The accuser and accused are given timely notice of meetings at which one or the other or both may be present;
- 7) The accuser, the accused, and appropriate officials are given timely access to information that will be used after the fact-finding investigation but during informal and formal disciplinary meetings and hearings;
- 8) The accuser and accused will be notified simultaneously and in writing of:
  - a) the outcome of the proceeding;

- b) appeal procedures;
- c) any change to the result before it becomes final; and
- d) When the result becomes final.

*Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).*

#### **PROTECTIVE MEASURES FOR VICTIMS**

- Require institutions to describe the range of protective measures that the institution may offer following an allegation of dating violence, domestic violence, sexual assault, or stalking;
- Require institutions to define the terms “proceeding” and “result. ’possible sanctions and protective measures following a final determination regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking
- Rights of victims and institutional responsibilities on Title IX orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts.

**THE LIST Of South’s PROTECTIVE MEASURES under the student code of conduct WAC132-F-121-110. Follow Collective Bargaining policy and procedures, state and federal laws for employees.**

#### **SANCTIONS**

- Require institutions to list all of the possible sanctions that the institution may impose following the results of any institutional disciplinary proceedings for an allegation of dating violence, domestic violence, sexual assault, or stalking;

**THE LIST of South’s SANCTIONS HAS NOT YET BEEN FINALIZED.**

#### **SEX OFFENDER REGISTRATION INFORMATION**

South Seattle College maintains a list of enrolled or employed sex offenders and is available at the office of the Vice President of Student Services in the Robert Smith Building room 053, and in the Office of the Director of Campus Safety and Security in the Robert Smith Building room 62A.

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the *Jacob Wetterling Crimes against Children and Sexually Violent Offender Act*. The federal law requires state law enforcement agencies to provide South Seattle College with a list of registered sex offenders who have indicated that they are enrolled, employed or carrying on a vocation at South Seattle College.

In addition, a list of all registered sex offenders in King County is available from the King County Sheriff’s Office at [www.sheriffalerts.com/wa/grant](http://www.sheriffalerts.com/wa/grant).

The CSCPA further amends the *Family Educational Rights and Privacy Act of 1974 (FERPA)* to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000.

## **ANNUAL FIRE REPORT**

### **FIRE DRILLS COMPLETED**

In the previous year, there are monthly drills held at the Child Care Center and one fire drill during quarterly evacuation drills.

### **POLICIES FOR FIRE SAFETY EDUCATION AND TRAINING PROGRAMS**

The Campus Safety staff and the maintenance staff have received fire extinguisher training and fire safety training and will receive refresher training as needed. There are no current policies for standardized Fire Safety Education or training. As needed and available, information will be presented to students and staff.

### **WHO TO NOTIFY IN THE CASE OF FIRE**

In the case of fire, call 911 and notify Campus Safety & Security at 206-934-0911. You can also contact Maintenance and Operations at 206-934-5322.

### **PLANS FOR FIRE SAFETY**

All new construction on campus will include some type of fire alarm and fire suppression system. All current buildings have fire pull stations, usually located near the main exits to the building. There are fire extinguishers located in public areas in each building and the locations of these items are noted on the evacuation maps posted in the buildings. Any monies procured for improvements in safety will be used in part to help improve current fire safety measures.

## DEFINITIONS

### CRIMINAL ACTS

**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.

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

**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.

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

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

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

*NOTE: The above listed crime definitions from the Uniform Crime Reporting Handbook*

### SEX OFFENSES

any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**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, including instances in which the victim is incapable of giving consent.

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

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

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

*The above listed crime definitions from the Uniform Crime Reporting Handbook, 2013 Revised UCR definition of Rape, as prescribed by 2014 VAWA Negotiated Rulemaking Final Consensus Language.*

### **HATE CRIMES**

South is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

**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.

**Domestic violence, dating violence and stalking:** See definition below.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

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.

### **OTHER OFFENSES**

**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. a) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. b) For the purpose of this definition, dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse and does not include acts covered under the definition of domestic violence.

**Domestic Violence:** A felony or misdemeanor crime of violence committed a) By a current or former spouse or intimate partner of the victim. b) By a person with whom the victim shares a child in common. c) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner. d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to a) Fear for the person's safety or the safety of others; or b) Suffer substantial emotional distress. For the purpose of this definition, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

\*\*\*Additions from 2014 VAWA Negotiated Rulemaking Final Consensus Language

#### WASHINGTON STATE DEFINITIONS

**Consent. RCW 9A.44.010.** (7) "Consent" means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

**Age of Consent.** *Under Washington State law, a 16-year-old is legally capable of consenting to having sexual contact. There are some exceptions. A person could be guilty of indecent liberties if someone with supervisory authority causes another to have sexual contact. The third-degree child molestation law – the charge that applies for sexual contact with teens 14 up to age 16 – applies to perpetrators at least four years older than the victim.*

**Domestic Violence. RCW 26.50.010** (1) "Domestic violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member. (2) "**Family or household members**" means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren. (3) "**Dating relationship**" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

**Rape in the first degree. RCW 9A.44.040.** (1) A person is guilty of rape in the first degree when such person engages in sexual intercourse with another person by forcible compulsion where the perpetrator or an accessory: (a) Uses or threatens to use a deadly weapon or what appears to be a deadly weapon; or (b) Kidnaps the victim; or (c) Inflicts serious physical injury, including but not limited to physical injury which renders the victim unconscious; or (d) Feloniously enters into the building or vehicle where the victim is situated. (2) Rape in the first degree is a class A felony.

**Rape in the second degree. RCW 9A.44.050.** (1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person: (a) By forcible compulsion; (b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated; (c) When the victim is a person with a developmental disability and the perpetrator is a person who is not married to the victim and who: (i) Has supervisory authority over the victim; or (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense; (d) When the perpetrator is a health care provider, the victim is a client or patient, and the sexual intercourse occurs during a treatment session, consultation, interview, or examination. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the client or patient consented to the sexual intercourse with the knowledge that the sexual intercourse was not for the purpose of treatment; (e) When the victim is a resident of a facility for persons with a mental disorder or chemical dependency and the perpetrator is a person who is not married to the victim and has supervisory authority over the victim; or (f) When the victim is a frail elder or vulnerable adult and the perpetrator is a person who is not married to the victim and who: (i) Has a significant relationship with the victim; or (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense. (2) Rape in the second degree is a class A felony.

**Rape in the third degree. RCW 9A.44.060.** (1) A person is guilty of rape in the third degree when, under circumstances not constituting rape in the first or second degrees, such person engages in sexual intercourse with another person: (a) Where the victim did not consent as defined in RCW 9A.44.010(7), to sexual intercourse with the perpetrator and such lack of consent was clearly expressed by the victim's words or conduct, or (b) Where there is threat of substantial unlawful harm to property rights of the victim. (2) Rape in the third degree is a class C felony.

**Rape of a child in the first degree. RCW 9A.44.073.** (1) A person is guilty of rape of a child in the first degree when the person has sexual intercourse with another who is less than twelve years old and not married to the perpetrator and the perpetrator is at least twenty-four months older than the victim. (2) Rape of a child in the first degree is a class A felony.

**Rape of a child in the second degree. RCW 9A.44.076.** (1) A person is guilty of rape of a child in the second degree when the person has sexual intercourse with another who is at least twelve years old but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim. (2) Rape of a child in the second degree is a class A felony.

**Rape of a child in the third degree. RCW 9A.44.079.** (1) A person is guilty of rape of a child in the third degree when the person has sexual intercourse with another who is at least fourteen years old but less than sixteen years old and not married to the perpetrator and the perpetrator is at least forty-eight months older than the victim. (2) Rape of a child in the third degree is a class C felony.

**Child molestation in the first degree. RCW 9A.44.083.** (1) A person is guilty of child molestation in the first degree when the person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another who is less than twelve years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim. (2) Child molestation in the first degree is a class A felony.

**Child molestation in the second degree. RCW 9A.44.086.** (1) A person is guilty of child molestation in the second degree when the person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another who is at least twelve years old but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim. (2) Child molestation in the second degree is a class B felony.

**Child molestation in the third degree. RCW 9A.44.089.** (1) A person is guilty of child molestation in the third degree when the person has, or knowingly causes another person under the age of eighteen



to have, sexual contact with another who is at least fourteen years old but less than sixteen years old and not married to the perpetrator and the perpetrator is at least forty-eight months older than the victim. (2) Child molestation in the third degree is a class C felony.

**Sexual misconduct with a minor in the first degree. RCW 9A.44.093.** (1) A person is guilty of sexual misconduct with a minor in the first degree when: (a) The person has, or knowingly causes another person under the age of eighteen to have, sexual intercourse with another person who is at least sixteen years old but less than eighteen years old and not married to the perpetrator, if the perpetrator is at least sixty months older than the victim, is in a significant relationship to the victim, and abuses a supervisory position within that relationship in order to engage in or cause another person under the age of eighteen to engage in sexual intercourse with the victim; (b) the person is a school employee who has, or knowingly causes another person under the age of eighteen to have, sexual intercourse with an enrolled student of the school who is at least sixteen years old and not more than twenty-one years old and not married to the employee, if the employee is at least sixty months older than the student; or (c) the person is a foster parent who has, or knowingly causes another person under the age of eighteen to have, sexual intercourse with his or her foster child who is at least sixteen. (2) Sexual misconduct with a minor in the first degree is a class C felony. (3) For the purposes of this section: (a) "Enrolled student" means any student enrolled at or attending a program hosted or sponsored by a common school as defined in RCW 28A.150.020, or a student enrolled at or attending a program hosted or sponsored by a private school under chapter 28A.195 RCW, or any person who receives home-based instruction under chapter 28A.200 RCW. (b) "School employee" means an employee of a common school defined in RCW 28A.150.020, or a grade kindergarten through twelve employee of a private school under chapter 28A.195 RCW, who is not enrolled as a student of the common school or private school.

**Sexual misconduct with a minor in the second degree. RCW 9A.44.096.** (1) A person is guilty of sexual misconduct with a minor in the second degree when: (a) The person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another person who is at least sixteen years old but less than eighteen years old and not married to the perpetrator, if the perpetrator is at least sixty months older than the victim, is in a significant relationship to the victim, and abuses a supervisory position within that relationship in order to engage in or cause another person under the age of eighteen to engage in sexual contact with the victim; (b) the person is a school employee who has, or knowingly causes another person under the age of eighteen to have, sexual contact with an enrolled student of the school who is at least sixteen years old and not more than twenty-one years old and not married to the employee, if the employee is at least sixty months older than the student; or (c) the person is a foster parent who has, or knowingly causes another person under the age of eighteen to have, sexual contact with his or her foster child who is at least sixteen. (2) Sexual misconduct with a minor in the second degree is a gross misdemeanor. (3) For the purposes of this section: (a) "Enrolled student" means any student enrolled at or attending a program hosted or sponsored by a common school as defined in RCW 28A.150.020, or a student enrolled at or attending a program hosted or sponsored by a private school under chapter 28A.195 RCW, or any person who receives home-based instruction under chapter 28A.200 RCW. (b) "School employee" means an employee of a common school defined in RCW 28A.150.020, or a grade kindergarten through twelve employee of a private school under chapter 28A.195 RCW, who is not enrolled as a student of the common school or private school.

**Indecent liberties. RCW 9A.44.100.** (1) A person is guilty of indecent liberties when he or she knowingly causes another person to have sexual contact with him or her or another: (a) By forcible compulsion; (b) When the other person is incapable of consent by reason of being mentally defective, mentally incapacitated, or physically helpless; (c) When the victim is a person with a developmental disability and the perpetrator is a person who is not married to the victim and who: (i) Has supervisory authority over the victim; or (ii) Was providing transportation, within the course of his or her

employment, to the victim at the time of the offense; (d) When the perpetrator is a health care provider, the victim is a client or patient, and the sexual contact occurs during a treatment session, consultation, interview, or examination. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the client or patient consented to the sexual contact with the knowledge that the sexual contact was not for the purpose of treatment; (e) When the victim is a resident of a facility for persons with a mental disorder or chemical dependency and the perpetrator is a person who is not married to the victim and has supervisory authority over the victim; or (f) When the victim is a frail elder or vulnerable adult and the perpetrator is a person who is not married to the victim and who: (i) Has a significant relationship with the victim; or (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense. (2)(a) Except as provided in (b) of this subsection, indecent liberties is a class B felony. (b) Indecent liberties by forcible compulsion is a class A felony.

**Stalking. RCW 9A.46.110:** 1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime: (a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and (b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and (c) The stalker either: (i) Intends to frighten, intimidate, or harass the person; or (ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person. 2) (a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and (b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person. 3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW. 4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person. 5) (a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor. (b) A person who stalks another is guilty of a class B felony if any of the following applies: (i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order; (ii) the stalking violates any protective order protecting the person being stalked; (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the person; (v)(A) the stalker's victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony. 6) As used in this section: (a) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services. (b) "Follows"

means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another. (c) "Harasses" means unlawful harassment as defined in RCW 10.14.020. (d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person. (e) "Repeatedly" means on two or more separate occasions.

**Mental incapacity** is that condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, the influence of a substance or from some other cause. <sup>9</sup>

**Physically helpless** means a person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.<sup>10</sup>

**Sexual contact** means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.<sup>11</sup>

**Sexual assault:** Includes any of the following:

- Any intentional and unconsented touching, or threat or attempt thereof, of: (i) an intimate bodily part of another person, such as a sexual organ, buttocks or breast; (ii) any bodily part of another person with a sexual organ; or (iii) any part of another person's body with the intent of accomplishing a sexual act; or
- Unwanted, inappropriate disrobing of another person or purposeful exposure of one's genitalsto another without the other's consent; or
- Forcing, or attempting to force, any other person to engage in sexual activity of any kind without her or his consent.