



Pacific Oaks

COLLEGE



2023 Annual Security Report
For incidents occurring in the year 2022
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Annual Disclosure Of Crime Statistics

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses.

All reported Clery Act crimes, which occurred within the institution's identified Clery Geography, the 2008 Revision to the Higher Education Opportunity Act and California Education Code sections 67380 and 67383 which informs members of the community of institutional policies concerning campus security (including crime reporting policies, alcohol and drug use, crime prevention, sexual assault, and other matters of related importance); and the Violence Against Women Reauthorization Act of 2013 (VAWA), which amends the Clery Act, under the Campus Sexual Violence Elimination Act provision (i.e., the Campus SAVE Act) are included as a statistic in this publication, which is compiled and published by the Facilities Department on a calendar year basis pursuant to the requirements of the Clery Act. This information is published in the ASR on or before October 1 annually for the preceding three (3) years.

The Annual Security Report (ASR) includes institutional policies and procedures concerning campus safety and security programs, including those concerning alcohol and drug use, crime prevention, the reporting of crimes, emergency notifications, missing students, preventing/reporting sexual assault, and other matters required by the Clery Act. The ASR also includes the statistical information for the preceding three (3) years.

Statistical information is compiled from Campus Security Authorities as well as anonymous reports submitted to the Security Service. Additionally, statistical information is requested and compiled from local law enforcement agencies and included in this publication. All crime statistics included in this publication are also submitted by the Facilities Department on an annual basis to the Department of Education.

Monitoring Off Campus Locations of Recognized Student Organizations

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

Preparation & Disclosure

Each year the Pacific Oaks College ASR is prepared by the Vice President of Human Resources & Organizational Effectiveness in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's Campus Security Authorities (CSAs), Campus Safety Committee, and various other elements of the College. The crime statistics included herein are reported via telephone, email, in-person conversation, or by submitting an internal incident report form and gathered by the Facilities Department, contracted security professionals, local law enforcement, identified Campus Security Authorities, and Campus Safety Coordinators, the Title IX Coordinator, Student Services, and Human Resources.

By October 1 of each year, the campus community is made aware of the Annual Security Report by email notification that offers a summary of the contents, as well as information on how to view the report.

The report is available:

- Online at <https://www.pacificoaks.edu/student-resources/campus-safety/>.
- In person visit the Human Resources Department on the Pasadena Campus, 45 Eureka St., Pasadena, CA 91103
- Email request: POSafety@pacificoaks.edu

Upon request, prospective students and employees may obtain a written paper copy of the Annual Security Report by submitting a request to POSafety@pacificoaks.edu.

The Human Resources Department maintains records of its Annual Security Report for the preceding seven years in its archives. If you would like access to the Annual Security Report for the past 7 years, please contact POSafety@pacificoaks.edu. Paper copies of the Annual Security Report will be made available upon request.

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Notice of Non-Discrimination & Retaliation Prohibition

Pacific Oaks College (the College) is committed to upholding standards that promote respect and human dignity in an environment that fosters academic excellence and professionalism. It is the policy of the College to maintain an educational and work environment free from all forms of unlawful discrimination and harassment. To that end, the College prohibits and does not tolerate unlawful discrimination against or harassment of its employees, students or applicants for employment or admission on the basis of actual or perceived race, color, ethnicity, religion (including religious dress and grooming practices), creed, sex, age (40 years and over in the employment context), marital status, national origin, citizenship status, employment status, income status, ancestry, partnership status, medical condition (including cancer and genetic characteristics), pregnancy (including childbirth, breastfeeding, or related medical conditions), disability, political belief or affiliation, domestic violence victim status, military or veteran status, sexual orientation, gender, gender identity, gender expression, genetic information, and any other class of individuals protected from discrimination under federal, state, or local law, regulation, or ordinance in any of the College's educational programs and activities, and in the employment (including application for employment) and admissions (including application for admission) context, as required by: Title IX of the Education Amendments of 1972 and its implementing regulations, 20 U.S.C. § 1681 et seq.; Title III of the Americans with Disabilities Act of 1990, as amended in 2008; Section 504 of the Rehabilitation Act of 1973; Title VI and VII of the Civil Rights Act of 1964; the Age Discrimination Act of 1975; the Age Discrimination Act of 1967; the California Fair Employment and Housing Act; and other federal, state, and local laws, regulations, or ordinances that prohibit discrimination, harassment, and/or retaliation.

All members of the College community are expected to uphold this policy. Engaging in unlawful discrimination or harassment will result in appropriate disciplinary action, up to and including dismissal from the College. The College's Title IX Coordinator monitors and oversees the College's compliance with Title IX and related laws in the prevention of sexual harassment and discrimination, including the coordination of education and training activities and the response to Title IX complaints. Students, faculty, administrators, staff, or others who participate in College's education programs and activities with questions, concerns, or complaints about sex discrimination, sex harassment or sexual misconduct are encouraged to contact the Title IX Coordinator: Michael Patton, Dean of Students & Title IX Coordinator, (626-529-8498 POTitleIX@pacificoaks.edu).

About Pacific Oaks College (College)

The College is a non-for-profit, accredited higher education institution offering bachelor's degree completion, master's, and certificate programs in human development, counseling, education, early childhood education, and teacher credentialing.

Throughout this report, the College defines its "campus" as the campuses in Pasadena and San Jose collectively. The campuses are located:

- Pasadena Campus: 45 & 55 Eureka Street, Pasadena, CA 91103
- Northern California Branch Campus: 1245 S. Winchester Boulevard, San Jose, CA 95131

The College also utilizes instructional sites throughout California and online. The online locations are not considered part of the school's geography as recognized by the Clery Act (Campus Property, Non-Campus Property, and Public Property) for this Annual Security Report.

The Pacific Oaks Children's School is affiliated with Pacific Oaks College. However, the Pacific Oaks Children's School is not a postsecondary institution and does not participate in the Title IV federal student financial assistance program; therefore, the Pacific Oaks Children's School is not subject to Clery reporting requirements and is not included in this report.

Accordingly, this report, as outlined on the following pages, contains information pertaining only to the College's security policies, campus safety personnel, emergency response procedure and campus crimes statistics. Additional information can be found on our website: www.pacificoaks.edu

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Emergency and Other Important Contact Information

- **Emergency incidents**
 - Emergency (off campus) 911
 - Emergency (campus phone) 9-911
 - Pasadena Police/Fire Department 911
 - San Jose Police/Fire Department 911
 - Security (contracted personnel) 626-529-8432 POCSecurity@pacificoaks.edu
 - Human Resources 626-529-8436 POCCSHR@pacificoaks.edu
- **Non-emergency**
 - Staff & Faculty (Pasadena & San Jose) 626-529-8432 POSafety@pacificoaks.edu
 - All Students: (CARE Office) 626-529-8260 CARE_Office@pacificoaks.edu
 - Pasadena Police Department 626-744-4241
 - San Jose Police Department 408-277-8900
- **Pacific Oaks College:**
 - **Dean of Student/Title IX Coordinator** **626-529-8498** POTitleIX@pacificoaks.edu
 - Deputy Title IX Coordinator 626-529-8437 POTitleIX@pacificoaks.edu
 - Office of the President 626-529-8003 President@pacificoaks.edu
 - Office of Academic Affairs 626-529-8425 POCAcademicAffairs@pacificoaks.edu
- **State/Local Resources:**
 - Crime Victims Services 877-433-9069 <http://caag.state.ca.us/victimservices/>
 - **Southern California/Pasadena**
 - San Gabriel Valley Medical Center 877-209-3049 (SART)*
 - Los Angeles County Crisis Hotline 877-727-4747
 - Peace Over Violence – Pasadena 626-793-3385 www.peaceoverviolence.org
 - Rape Treatment Center (Greater LA) 424-259-7208 <https://www.uclahealth.org/medical-services/rtc>
 - **Northern California/San Jose**
 - Santa Clara Valley Medical Center 408-885-5000 (SART)*
 - Suicide and Crisis Services of Santa Clara County (SACS) 855-278-4204
 - YWCA Silicon Valley Support Services 408-287-3000 or YWCA 24-hr Sexual Assault Crisis Line 800-572-2782
 - Family Justice Center at AACI 408-975-2739 <https://dv.aaci.org/get-help/family-justice-center-at-aaci/>
- **National Resources:**
 - National Sexual Assault Hotline 800-656-4673 <https://www.rainn.org>
 - National Council on Alcoholism 800-622-2255
 - Substance Abuse & Mental Health Services Hotline 800-662-4357
 - Sexual Assault Hotline 202-544-3064
 - National Domestic Violence Hotline 800-799-7233, 800-787-3224 (TTY)
 - Immigration Advocates Network <https://www.immigrationadvocates.org/>
 - Center for Victims of Crime Hotline 202-467-8700
 - Loveisrespect 866-331-9474, <http://www.loveisrespect.org/> or text "LOVEIS" to 22522
- **College Provided Resources:**
 - Student Solutions
 - Web ID: PACIFIC 855-460-6668; www.guidanceresources.com
 - ComPsych - Employee Assistance Program (EAP)
 - WEB ID: COM589 800-272-7255; www.guidanceresources.com

***SART = Sexual Assault Response Team**

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Campus Security

The College outsources security personnel from a third-party security service provider for its Pasadena Campus. Under the current contract, security personnel are scheduled to be on the Pasadena campus during college operations, which include in-person class instructions. The College does not have security personnel at its San Jose Campus.

The security personnel are unarmed and may only make a “citizen’s arrest” of a person who is the act of committing a crime; when safely and legally able to do to.

Security personnel are instructed not to attempt to apprehend a suspect, unless the person is caught in a criminal act; however, security personnel will only act in accordance with the provisions of reasonable force.

Criminal incidents are referred to local law enforcement agencies who have jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to report the crime immediately to the College and the appropriate public agency. Prompt reporting will ensure timely warning notices on campus and timely disclosure of crime statistics.

Security personnel maintain close liaison with local police departments and keep them apprised of any criminal activity on campus. Local police may be called when appropriate by either security personnel or the senior administrator or staff member on campus.

The College recognizes that laws and policies are necessary for society to function and supports the reinforcement of law by governmental agencies and policies by officials of the College. All persons on the campus are subject to these laws and rules at all times.

Relationship with Local Law Enforcement Agencies.

The College maintains a close working relationship with the Pasadena Police Department (“PPD”) and San Jose Police Department (“SJPD”) and communicates items of mutual concern when applicable for each of our campuses. PPD and SJPD dispatch officers when a crime is reported by College or by a victim. College has requested cooperation from the local police departments in informing the College about any crimes that may warrant a timely warning as well as any incidents that may warrant an emergency response.

PPD and SJPD have provided training programs for our community, collaborated with College’s campus threat and risk assessments, and reviewed our Campus Emergency Preparedness Manual.

The College does not maintain any special relationships with State and local police and does not have any agreements with those law enforcement agencies (such as a written memorandum of understanding) to investigate alleged crimes.

Campus Safety Authorities

Members of the College community are encouraged to report crimes and incidents directly to the on-site Security service. However, it is understandable some may prefer to report to other individuals or offices within the College. As such, the College community can also report crimes to Campus Security Authorities (CSAs). The Clery Act requires the College to designate employees with significant responsibility to student and campus activities outside of normal classroom instructions as CSAs.

CSAs include the members of the President’s Cabinet (<https://www.pacificoaks.edu/about/our-community/leadership/>) and the Human Resources staff and other officials on campus who have significant responsibility for student and campus activities. Here is the contact information for those with significant student and campus activities:

- Vice President of Academic Affairs: Bree Cook, breecook@pacificoaks.edu
- Dean of Students: Michael Patton, mpatton@pacificoaks.edu
- Chief of Staff: Carrie Zalkind, czalkind@pacificoaks.edu
- Vice President of Human Resources & Organizational Effectiveness: Jane Sawyer, jsawyer@pacificoaks.edu

CSAs complete an [Incident Form](#) and submit it as soon as practicably possible, and/or to Human Resources if they are present at the time the crime takes place. The administrator(s) will assess the information provided in the report form in coordination with the Human Resources team to determine whether an immediate response is warranted, if a Timely Warning should be issued, and appropriate next steps.

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The College strongly encourages all members of the community to report crimes directly to a CSA, the Safety team, and/or the local police authorities. If the incident involves dating violence, domestic violence, sexual assault or stalking, CSAs who are also Responsible Employees as defined under Title IX and College policy, must also make a report to the Title IX Team by filing a report using the [CSA Incident Form](#).

Security of & Access to Campus Facilities

During regular business hours, the College is restricted to students, employees, and invitees, except when part or all the campus, its buildings or facilities are open to the general public for a designated time or purpose, or when used by non-affiliated groups organizations or individuals that have been granted or approved by authorized College officials.

When an event on campus is open to the general public, attendees are expected to comply with applicable College policies, rules and procedures and to comply with reasonable behavior expectations. Those who do not comply may be required to leave the campus. The main entrances to buildings on campus are to be open to students, faculty, administrators, staff, and guests of the College during normal operating hours. All College buildings and facilities will be locked when they are not open for general use by those who are authorized or permitted to use them. When a College building or facility is not open for general use and is locked, entry to the building or facility may be controlled or limited by the Facilities Department. Advance authorization by an appropriate College official may be required before an individual is permitted access to a College building or facility when the building or facility is locked and not open for general use. Emergencies may necessitate changes or alterations to any posted schedule.

Permission to access the campus, buildings and facilities of the College may be denied or rescinded at any time, in the College's sole and complete discretion. An individual who refuses to leave the campus or a College building or facility after being asked to do so by a College official and/or security personnel will be considered to be trespassing on College property.

Maintenance of Facilities

The College also maintains our facilities in a manner that minimizes hazardous conditions. Regular inspections are conducted, and malfunctioning lights or other unsafe physical conditions are reported to facilities management for correction. Safety and security equipment such as alarms and emergency call buttons are audited regularly to ensure that the equipment is functioning. The College invites reports of physical hazards (e.g., a broken stair, broken furniture, spills, plumbing problems, electrical problems, etc.). Contact the Facilities Department to report facility issues by emailing POFacilities@pacificoaks.edu.

Reporting Crime & Other Emergencies

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

All crimes occurring on the campus should be promptly reported to on-site Security service. This helps ensure incidents are properly included in the annual Disclosure of Crime Statistics and a Crime Alert can be issued when necessary.

In an emergency, dial 911. Police must respond to every 911 call, whether called in on a cellphone or a landline, even if the caller hangs up without saying anything.

If 911 is accidentally dialed, the caller should stay on the line and tell the operator the call was in error. This will save the police an unnecessary trip.

Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a College staff member will assist in making the report to police.

Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the institutional system or the criminal justice system, you may still want to consider making a confidential report to the school. With your permission, a designee of

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the College can file a report on the details of the incident without revealing your identity. In such circumstances, crime victims are encouraged to consider making a confidential report to one of the designated Campus Security Authorities. At a minimum, crime victims will receive valuable counseling and referral information.

Confidential reports are important because they provide valuable information that will enhance the safety of the community-at-large and they will, at least, provide a more accurate portrait of actual campus crime. The purpose of a confidential report is to respect the desire of a crime victim to keep the incident confidential, while taking steps to ensure the future safety of the College community. With such information, the school can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime regarding a particular location, method, or assailant, and alert the College Community (students, faculty, and staff) to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the school.

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Security/Law Enforcement & How to Make a Police Report

- Security/Front Desk 626-529-8432
- Pasadena Police/Fire Department 911 207 Garfield Avenue, Pasadena, CA 91101 San Jose Police/Fire Department 911 201 W. Mission Street, San Jose, CA 95110
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Primary Prevention & Awareness Program:

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

The College recognizes that crime prevention is the responsibility of the College and each person working, attending school, or visiting a College facility. Crime prevention is best served by vigilant surveillance of the premises and reporting any suspicious personal behavior.

To achieve its goals, the College has established a safety program dedicated to providing a safe and healthy working environment through identifying health and safety risks before they become hazards and developing programs for risk prevention. These programs are designed to encourage safety awareness among individuals and to provide essential information on procedures to be followed in case of an accident, injury, illness, or emergency.

Safety Awareness & Crime Prevention Programs

The College recognizes that crime prevention is the responsibility of the College and each person working, attending school, or visiting a College facility. Crime prevention is best served by vigilant surveillance of the premises and reporting any suspicious personal behavior.

To achieve its goals, the College has established a safety program dedicated to providing a safe and healthy working environment through identifying health and safety risks before they become hazards and developing programs for risk prevention. These programs are designed to encourage safety awareness among individuals and to provide essential information on procedures to be followed in case of an accident, injury, illness, or emergency.

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Digital contact information card

The College offers access to Aerogami (formerly known as KeynectUp) for all students, staff, and faculty. Aerogami is a tool that allows all students, staff, and faculty to download and save a digital card, inclusive of all institutional safety resources, it can be downloaded onto a phone and is easily accessible during an emergency within seconds.

The digital cards include campus and community resources such as the institution's phone numbers and email addresses, links for campus safety pages, community resources and the Title IX Coordinator's contact information.

Safety Awareness Strategies

Each person should have a preconceived plan of action in the event they become involved in, or be a witness to, a criminal act. By following the generally prudent rules listed below, each employee or student can help ensure that they will not become the victim of a crime.

- Park your car in College-designated parking areas, if possible.
 - Do not leave items in your car which are visible from the outside; rather, place the items in the locked trunk of your car, or under a car seat, if possible.
 - Lock all car doors, and check them, before leaving your parked car. Keep your car key in your hand until you are in a well-lit or heavily trafficked area. This will allow you to rapidly reenter your vehicle, should you see a suspicious person in the area.
 - Be alert for suspicious persons and activity in the classroom or work area. If you see an unfamiliar face in the vicinity, proceed to your work/class area, and then report the matter immediately.
- If you work in a College office, get in the habit of closing and locking your office door each time you must leave the office unattended.
 - If you leave valuable articles in open view in your office, place them in a locked desk drawer or in a sheltered location.
- Should you be accosted, have a plan of action in mind.
- In case of personal attack, scream as loudly as you can and run toward a more lighted or highly trafficked area. Do not voluntarily enter an assailant's automobile or go with an assailant to a more remote location.
- If an assailant demands your money, you may want to take out a pre-positioned amount of money, throw it away from you, and then begin running as fast as possible in the opposite direction.
 - Try to note the size and physical characteristics of your assailant, as well as the color and make of their car (if applicable), so that you are able to report the crime with critical, detailed information.
- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
 - Try to avoid isolated areas. It is more difficult to get help if no one is around.
 - Walk with purpose. Even if you do not know where you are going, act like you do.
 - Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
 - Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Do not allow yourself to be isolated with someone you do not trust or someone you do not know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

Crime Prevention Strategies

The College is strongly committed to crime prevention, and prioritizes the personal physical safety of its students, faculty, and staff to ensure a successful learning environment. College campuses, like all other communities, are not immune to crime. The cooperation and involvement of students, faculty, and staff in campus safety is essential to prevent and minimize criminal activity and injury, as well as enhance the quality of life for members of the College community.

On a semester basis, the College sends a Campus Safety Reminder to inform faculty, staff and students about campus safety and security procedures and practices and to share tips to promote crime prevention. In addition, this information is also disseminated to all students through a weekly newsletter.

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Crime prevention includes individual safety consciousness and awareness of personal environment. The College suggests the following crime prevention measures, which can contribute to the safety and security of the College community:

- If anything makes you feel unsafe or threatened, dial 9-1-1.
- When using a personal vehicle, keep the doors always locked.
 - Before entering a vehicle, always look under the vehicle and in the back seat.
- Keep personal keys (car, apartment, home, etc.) in your possession always.
- At night, travel in well-lit areas and in pairs if possible. Avoid short cuts and deserted areas.
- Notice and be aware of suspicious persons and conditions.
 - A suspicious person is either one who is exhibiting suspicious behavior, or who is in an area or doing something that is not normal to the regular campus activities, such as: a person in the parking lot who is moving from car to car, peeking inside or trying to open the doors, a person who appears to be paranoid or making strange and sudden movements for no apparent reason), among others.
- Do not leave valuable items in your car, including personal items and/or school related materials, such as textbooks, laptop computers, smartphones, etc.
- Do not park in isolated areas.
- **Do not prop doors open.**
- Leave items of high monetary value at home.
- Do not leave personal property unattended.
- Do not carry more cash than necessary and certainly do not advertise the amount you are carrying.
- Keep your purse, backpack, or briefcase close to your body.
- Avoid giving out personal information or making appointments with strangers over the phone.
- Mark personal items that you bring on campus.
 - This includes marking textbooks, laptops, and calculators with your name or some other traceable identification.
- Do not bring any kind of firearms, dangerous weapons, explosives, or lethal materials onto College property.
 - Unauthorized use, possession, or storage of these or other potentially dangerous items on College premises, or at College activities, regardless of whether you have been issued a federal or local license to possess any of these items, is strictly prohibited, and you may be subject to discipline and/or criminal prosecution.

Safety Committee and Safety Training

The College Safety Committee meets quarterly to address safety concerns. Committee members are tasked to disseminate this information to ensure faculty and staff are informed in a timely manner. Each member of the Safety Committee receives training to become First Aid/CPR/AED certified. Additionally, all College employees have access to Safety Training webcasts, safety resources and guides, and up-to-date safety information on the College's Intranet website, SharePoint.

Presidential Policy Directive (PPD)-8, signed by President Barack Obama in March 2011, prescribes the nation's goal for preparedness and planning. PPD-8 outlines preparedness with regard to five (5) essential mission areas that correlate to strategic safety planning the College has implemented: prevention, protection, mitigation, response, and recovery. These implementations correspond to the College's adherence to the National Incident Management System (NIMS) regarding safety planning, operations, and training.

Education Programs

Each year, the College assigns the following courses to employees and/or students:

- **Not Anymore: Sexual Violence Prevention:** This course provides critical information about sexual violence prevention and the definitions of consent, bystander intervention, sexual assault, rape, domestic violence, and stalking. This program also provides information regarding the student's rights, safety, and ability to help stop sexual violence on campus.
- **Clery Act Basics:** Provides an overview of Clery Act reporting requirements

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- **Building Supportive Communities:** This interactive online training examines the interconnected issues of sexual harassment and sexual assault to faculty and staff. It includes examples and scenarios of issues related to sexual misconduct situations.
- **Preventing Harassment and Discrimination:** Prepare learners to cultivate and maintain a workplace culture resistant to discrimination, harassment, and retaliation; equips employees with the information and skills that promote intervention, empathy, and allyship. NOTE: new hires complete this course as part of their onboarding activities and existing employees are assigned the course every other year.
- **Managing Bias:** Understanding bias in the workplace is the first step to managing it. The course describes how it affects the workplace and encourages learners to use that knowledge to reduce the negative effects of bias, gain an understanding of how biases can affect our actions, the real impact it can have on people, and that if left unchecked, biases can create unhealthy work environments that reinforce unjust practices.
- **Diversity & Inclusion:** This course explores power, communication, identity, and privilege through the unique experiences of real people. The course will help learners to think about the importance of a respectful working environment and the barriers that prevent full participation.

Awareness Months

Events are held in recognition safety and security awareness months including domestic violence and sexual assault:

- Campus Safety Awareness.
 - During the month of September, the Campus Safety Awareness Month.
- The Great Shake Out- Earthquake Drill
 - During the month of October usually set for the 3rd Thursday

Campaigns are made available to all students, staff and faculty offering a wide range of programs, resources, and activities (including, interactive workshops, presentations, and social media campaigns) focused on a broad range of relevant topics such as, Emergency Preparedness and Campus Safety, Trauma, Community Violence, Sexual Assault & Drug and Alcohol, Active Shooter and Earthquake and Fire Awareness.

New Employee Orientation

A Safety & Security training overview is provided to all new employees during the College's New Employee Orientation (NEO) on the following topics:

- Emergency procedures
 - Evacuations procedures
 - Active Shooter procedures
- Incident reporting and emergency/non-emergency phone numbers

New Student Welcome

Upon enrollment, students are informed of services offered by the College, including a copy of the Student's Rights & Responsibilities (Code of Conduct), information on how to obtain the Annual Security Report, and how and where to report incidents.

Timely Warning & Procedures

In addition to annual statistics reporting, the College must provide a timely warning of crimes reported to campus security and local police agencies, including the occurrence of Clery Act crimes, in a manner that is intended to prevent similar crimes from recurring and to protect the personal safety of students and employees.

Timely warnings will include mass emails and posted flyers in visible locations containing pertinent information on the situation at hand. Additionally, the same information will be posted on the College website.

Any decision to disseminate a timely warning will be made by the Communications Liaison in conjunction with the Crisis Management Team ("CMT") and Risk Management Team ("RMT") on a case-by-case basis, considering all the facts surrounding the crime and the continuing danger to the College community.

Crime alerts will contain a brief description of the incident, including the date, time, and location of the incident, and will describe precautions to take. The amount and type of information presented in the warning will vary depending on the

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circumstances of the crime. Significant criminal incidents that might elicit a timely warning include, but are not limited to, crimes of violence or patterns of property crimes.

For crimes considered a threat to other students or employees, victim's names will be withheld from timely warnings. Anyone with information warranting a timely warning should report the circumstances to the College Security Desk.

Non-Emergency Incidents

Please refer to the [Emergency and Other Important Contact Information](#) in this report.

For non-emergency incidents at the College:

- Staff & Faculty (Pasadena & San Jose): 626-529-8432
- All Students: (CARE Office) 626-529-8260

Reporting Criminal Activities

The College also encourages students, faculty, and staff to promptly and accurately report all criminal activity and emergencies that have occurred at a College location to the local authorities or the Campus Safety Authority as well as to the Human Resources.

Crimes in progress and crimes that have just occurred should be reported directly to the police by dialing 911. If a crime occurs on or around campus, report it immediately to the Pacific Oaks Security Desk at 626-529-8432. The Security Desk is in the lobby area of building 45 Eureka of our Pasadena Campus. The Security Desk number is available for both Pasadena and San Jose Campuses.

The College outsources security personnel from a third-party security service provider for its Pasadena Campus. Under the current contract, security personnel are scheduled to be on the Pasadena campus during college operations, which include in-person class instructions. The College does not have security personnel at its San Jose Campus.

The security personnel do not have the authority to arrest individuals, unless such personnel possess valid certification as a law enforcement officer, peace officer, or are authorized to act in such a capacity by way of official authority granted by a court or state regulatory agency. The security personnel may cooperate with state and local law enforcement agencies investigating alleged criminal offenses.

The information within the Crime surveys is compiled from incidents recorded in the campus security log along with local law enforcement statistics and made available to all students and staff as published on the College website. 2021 crime statistics were requested from the local Police Departments on or about August 30, 2022, respectively, and the authorities provided the information within a week of the request. The survey statistics are available to the public at <http://ope.ed.gov/security/GetOneInstitutionData.aspx>.

Reporting Crimes and other Emergencies

College Community Members are strongly encouraged to report all incidents that threaten a student's or employee's continued well-being, safety, or security. Complaints from any member of the College Community relating to discrimination, misconduct, harassment, domestic violence, dating or other related violence, stalking, or retaliation based on gender or sex concerning a faculty, staff, a student, or students may be reported to law enforcement and/or College, as outlined in more detail below.

- All crimes occurring on the campus should be promptly reported to on-site Security service. This helps ensure incidents are properly included in the annual Disclosure of Crime Statistics and a Crime Alert can be issued when necessary.
- In an emergency, dial 911. Police must respond to every 911 call, whether called in on a cellphone or a landline, even if the caller hangs up without saying anything.

Anonymous crime reporting is NOT for emergencies.

Crime log

All reported crimes are recorded in the campus security log and are available for public viewing upon request. The College is required by the Department of Education to publish Campus Crime Statistics by October 1 of

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each year. In addition, The College is required by the Department of Education to complete and submit an Online Campus Safety and Security Survey within the first two weeks of October each year.

Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the institutional system or the criminal justice system, you may still want to consider making a confidential report to the school. With your permission, a designee of the College can file a report on the details of the incident without revealing your identity. In such circumstances, crime victims are encouraged to consider making a confidential report to one of the designated Campus Security Authorities. At a minimum, crime victims will receive valuable counseling and referral information.

Confidential reports are important because they provide valuable information that will enhance the safety of the community-at-large and they will, at least, provide a more accurate portrait of actual campus crime. The purpose of a confidential report is to respect the desire of a crime victim to keep the incident confidential, while taking steps to ensure the future safety of the College community. With such information, the school can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime regarding a particular location, method, or assailant, and alert the College Community (students, faculty, and staff) to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the school.

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Annual Notice

In compliance with the Drug-Free Schools and Communities Act of 1989, the College distributes in writing, annually and as needed, information to students and employees regarding:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
- A description of the applicable legal sanctions under Federal, State, or local law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the abuse of alcohol and/or use of illicit drugs.
- A list of drug and alcohol programs (i.e., counseling, treatment, rehabilitation, and re-entry) that are available to employees or students.
- A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law) for violation of the standards of conduct and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution.

For more information regarding this notice for employees please visit:

<https://tcsedsystem.sharepoint.com/sites/poc/hr/Pages/policies.aspx>

For more information regarding this notice for students, please visit: <https://www.pacificoaks.edu/student-resources/care/>

Additionally, Student Services conducts a Biennial Review of its drug and alcohol abuse prevention programs to determine its effectiveness, implement needed change, and ensure disciplinary sanctions are consistently enforced.

ID Badges

All College employees and students are required to wear their ID badges while on campus.

- Employee ID badges can be requested by submitting a digital photo for consideration to POCCSHR@pacificoaks.edu or by visiting the Human Resources Office on the Pasadena campus.
- Student ID badge request can be submitted to the Registrar's Office: registraroffice@pacificoaks.edu.
- Lost ID badges or building access cards must be reported to Human Resources (employees) or the Registrar's Office (students) for replacement.

ID Badge Photo Guidelines can be found on the [employee intranet](#) or [Student Community Site](#)

The fee to replace lost or damaged badges is \$20.

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Emergency Response and Evacuation Procedures

Campus Community Notification Process & Procedures.

Timely and accurate communication with the campus population during a campus emergency is critical. The College has an Emergency Action Plan, which includes an Emergency Preparedness Manual for both campuses that is also made available to every student and employee. The Emergency Preparedness Manual also defines College's Emergency Response Team ("ERT"), describes available emergency equipment, and outlines the Emergency Protocol which guides the Emergency Response Leadership through a significant emergency event. More detailed information about the emergency response protocol can be found in our Emergency Preparedness Manual using the following link: <https://www.pacificoaks.edu/student-resources/campus-safety/>

The College has established two teams of institutional leaders tasked to assess and confirm the criticality of an emergency, disseminate information (including determining which segment or segments of the College community should receive the notification and the content of the notification and initiating the notification system), and to provide and ensure adequate response.

- The College Crisis Management Team ("CMT") will have primary responsibility for the direction, control, and management of any major (Level 4) emergency.
The CMT consists of the following individuals:
 - President, Pacific Oaks College & Children's School
 - Vice President ("VP"), Academic Affairs
 - VP, Human Resources & Organizational Effectiveness
 - Chief of Staff
 - Dean of Students
 - Executive Director, Children's School
- The Risk Management Team ("RMT") is responsible for handling emergencies during Level 1, 2, and 3 events. The College's Emergency Action Plan includes a description and examples of the events from Level 1 through Level 4.
The RMT consists of the following individuals at the campus level:
 - VP, Academic Affairs
 - VP, Human Resources and Organizational Effectiveness
 - Dean of Students
 - Executive Director, Children's School

The College has assigned a Communications liaison who will coordinate with the CMT and external media outlets to ensure accurate and timely dissemination of information. As necessary, the CMT will coordinate with local authorities, public media outlets, federal agencies, and technical specialists, e.g., the National Weather Service, to provide information imperative to resolving campus emergencies.

An "emergency situation" is defined as a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. In the event of an emergency, the College uses multiple independent communication channels, including those listed below, to make sure that information gets out quickly to students, faculty, staff, and other members of the College community. The College will, without delay, and considering the safety of the community, initiate the notification system unless issuing such a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Rave Alert

The Rave system enables College officials to contact registered members of the College via text message, voicemail and/or e-mail to apprise them of emergency situations and other ongoing risks to public safety in our campus community. To receive broadcast messaging, members of the College community must sign up independently to receive text messages. Please contact Campus Safety by email at POSafety@pacificoaks.edu.

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Emergency Information on Website

In the event of a major emergency, information about the status of College is posted online at www.pacificoaks.edu. Backup web servers are available in the Midwest if Pacific Oaks College's servers are incapacitated.

Emergency Information Phone Line

The College's security desk phone, (626) 529-8432, also provides information in the event of an emergency.

Email Notifications

Information Technology maintains a list of College email addresses for all students, faculty and staff that are used to distribute timely information about crimes as well as emergencies and other situations posing a risk to campus safety.

Departmental Communications

College Administration maintains a stakeholder communication roster to expedite emergency communications. The College Crisis Management Team ("CMT") will have primary responsibility for sending out communications of any major (Level 4) emergency. The Risk Management Team ("RMT") is responsible for handling communication during Level 1, 2, and 3 events.

Please refer to College's stakeholder communication chart below:

Group or individuals to be contacted	Person who should make the contact	Backup	Method
Trustees	College President	Chief of Staff	Conference call; individual calls
TCS President's Office	College President	Chief of Staff	Conference call; individual calls
Media	College President	TCS Communications Liaison	Phone, email
Emergency Response Team	VP of Human Resources & Organizational Effectiveness	Chief of Staff	Phone
Students	Dean of Students	Director of Student Engagement	Text, email, Rave
Employees	VP of Human Resources & Organizational Effectiveness	Chief of Staff	Text, email, Rave
Campus Visitors	COLLEGE Security	Facilities Manager	Notice to faculty, staff, students advising them to contact visitors they may be expecting to update status

Emergency Response Team Members

The Emergency Response Team ("ERT") is comprised of members of the College's Safety Committee. Each ERT members has been assigned a role and are trained on how to fulfill their responsibilities in case of an emergency/evacuation.

Evacuation Procedures

College's emergency response and evacuation procedures are publicized and disseminated to all students, staff and faculty (full time and adjunct faculty) every semester via email notification, and they are also made available on College's emergency information website: <https://www.pacificoaks.edu/emergency-information/>.

Testing & Documentation

The College tests its emergency response and evacuation procedures at least once a year. Tests are scheduled, contain drills (e.g., testing our emergency mass notification system or conducting a fire drill), contain exercises (e.g., testing our coordination efforts with first responders), contain follow-through activities (e.g., the collection of feedback from participants), are designed for assessment of emergency plans and capabilities (e.g., a checklist of measurable goals), and are designed for evaluation of emergency plans and capabilities (e.g., uses the assessment to determine whether or not the test met the College's goals). The tests may be announced or unannounced. Also, at various times, the Local Risk & Compliance Committee (LRCC) will meet to train, test, and evaluate the College's emergency response plan. The Facilities Department maintains a record of these tests and training exercises, including a description of them, the dates

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and times they were held, and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute information to remind its students, faculty, and staff of the College's emergency response and evacuation procedures.

Alcohol and Other Drug Policies

It is the policy of the College to provide a safe, healthy, and productive educational and work environment for its students and employees. This policy is enacted in compliance with the federal Drug-Free Schools and Communities Act and the federal Drug-Free Workplace Act, and their amendments and implementing regulations.

All College employees and students are required to adhere to this policy. In addition, individuals who are not College employees or students, but who perform work at or for the College, attend College activities or otherwise are on College property (including, but not limited to, independent contractors, volunteers, activity participants, visitors and guests) are required to comply with this policy.

The unlawful possession, use, distribution, sale, manufacture or promotion of illegal drugs, drug paraphernalia and alcohol, or willfully being under the influence of illegal drugs, is prohibited while on College property or as part of any College-sponsored or College-funded activity. Notwithstanding any California law regarding the use of marijuana, federal law continues to make marijuana, with or without a prescription, an illegal drug as that term is used in this policy.

Employees are prohibited from reporting to work or working under the influence of alcohol, illegal drugs, or controlled substances that are used illegally. The same prohibition applies to independent contractors, visitors, and others who perform work at the College or any College-sponsored or College-funded activities. An individual is "under the influence" when their work performance, alertness, coordination, or response is impaired or diminished, or where the individual's actions affect the safety of the individual or others.

If an employee or other individual subject to this policy is not able to perform their job responsibilities safely and effectively because of a legally-prescribed and/or over-the-counter medication, it is the individual's responsibility to inform their supervisor or Human Resources so that appropriate accommodations can be made.

Employees, students, and others subject to this policy are expected to comply with any other applicable student or departmental policies addressing the use or possession of alcohol. For information concerning what conduct is or is not prohibited, please contact Student Services or Human Resources.

At some College events, alcohol consumption will occur. Those who consume alcohol at College events are expected to comply with applicable laws and to conduct themselves in a professional, responsible, and safe manner.

An employee who is convicted of a criminal drug-related or alcohol-related violation occurring in the workplace must notify Human Resources, which in turn will notify the vice president of the division in which the employee works at the College, no later than five (5) days after the conviction.

Getting Help

Any student, employee, or other member of the College community who is concerned about substance use, abuse and rehabilitation is strongly encouraged to contact their family physician or health plan. Employees may seek help through the College's Employee Assistance Program. For information about the College's Employee Assistance Program (<https://www.guidanceresources.com/groWeb/login/login.xhtml>), please contact the Human Resources Department. In accordance with applicable law, the College will reasonably accommodate an employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, unless doing so presents undue hardship to the College.

For more information on the College Drug-free & Alcohol-Visit Policy visit:

<https://tcsedsystem.sharepoint.com/sites/poc/hr/Pages/policies.aspx>

Disciplinary Action

Violation of any of the standards set forth in this policy will result in appropriate disciplinary action, up to and including dismissal from the College and referral for prosecution. For those who are not students or employees of the College, disciplinary sanctions may include severance of the individual's relationship with the College and referral for

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prosecution. For employees, a drug- related or alcohol-related conviction, even for off-campus conduct not part of College-sponsored or College-related activities, may result in disciplinary action, up to and including termination of employment, depending on the relevance of the conviction to the employee's position, the severity of the offense, and other relevant circumstances

Federal Sanctions

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued, and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university **(21 U.S.C. § 860)** face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at [www.campusdrugprevention.gov/sites/default/files/2022-07/Federal Trafficking Penalties Chart 6-23-22.pdf](http://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf)

State of California Sanctions

Category	Summary (California Code)
Possession of Marijuana	It is legal for persons 21 years of age or older to smoke or ingest cannabis or cannabis products. Cal. Health & Safety Code § 11362.1. It is legal for persons 21 years of age or older to possess, process,

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Category	Summary (California Code)
Possession of Marijuana (cont'd)	<p>transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever, not more than 28.5 grams of cannabis not in the form of concentrated cannabis or not more than eight grams of cannabis in the form of concentrated cannabis, including as contained in cannabis products. <i>Id.</i></p> <p>Persons under 18 years of age who are found guilty of a first offense of possession of not more than 28.5 grams of cannabis, or not more than eight grams of concentrated cannabis, or both, will be required to complete four hours of drug education or counseling and up to 10 hours of community service over a period not to exceed 60 days. Cal. Health & Safety Code § 11357. For a second offense or subsequent offense, persons under 18 years of age will be required to complete six hours of drug education or counseling and up to 20 hours of community service over a period not to exceed 90 days. <i>Id.</i> If the offender is at least 18 years of age but less than 21, a fine of not more than \$100 will be imposed. <i>Id.</i> If the offender is over 18 years of age and possesses more than 28.5 grams of cannabis, or more than eight grams of concentrated cannabis, or both, an imprisonment in a county jail for a period of not more than six months and/or a fine of not more than \$500 will be imposed. <i>Id.</i> As the quantity of cannabis increases, the crime classification becomes more severe and related penalties increase. <i>Id.</i></p>
Controlled Substances	<p>California statutes cover a wide range of offenses related to delivering, selling, furnishing, transferring, possessing, or manufacturing controlled substances formerly classified as “narcotics” and “restricted dangerous drugs.” See Cal. Health & Safety Code §§ 11350 – 11392.</p> <p>Penalties include prison sentences and monetary fines. See Cal. Health & Safety Code §§ 11350 and 11377. These penalties vary widely by the type and amount of controlled substance confiscated, the number and type of prior convictions, and the intent of the individual to manufacture, sell, or use the drug. Involving a minor in any capacity—whether using or employing a minor, inducing a minor to violate provisions, selling or furnishing to a minor, or acting in locations where minors are present—is a distinct offense and will result in heightened penalties. See Cal. Health & Safety Code §§ 11353 – 11354 and 11380.</p> <p>For example, a first-time drug offender found in possession of opiates (Schedule I substances) without a valid prescription may be punished by up to 1 year in jail, a fine of at least \$1,000, or community service. Cal. Health & Safety Code § 11350. Possession of gamma hydroxybutyric acid (“date rape drug”) with intent to commit sexual assault is punishable by up to 3 years imprisonment. Cal. Health & Safety Code § 11350.5; Cal. Penal Code § 1170.</p>
Alcohol and Minors	<p>Any person under 21 years of age who purchases any alcoholic beverage or consumes any alcoholic beverage in any on-sale premises is guilty of a misdemeanor punishable by a fine of \$250 and/or between 24 and 32 hours of community service. Cal. Bus. & Prof. Code § 25658. Second or subsequent offenses are punishable by up to \$500 and/or between 36 and 48 hours of community service. <i>Id.</i></p> <p>A person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor, as is a minor who purchases or consumes any alcoholic beverage in any on-sale premises. <i>Id.</i> Furnishing an alcoholic beverage to any person under 21 years of age is punishable by a fine of \$1,000 and at least 24 hours of community service. <i>Id.</i> If the person under 21 years of age subsequently consumes the alcohol and causes great bodily injury or death to himself or any other person, the person who furnished the alcohol will be imprisoned for a term between 6 months and 1 year and/or fined \$1,000. <i>Id.</i></p>

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Category	Summary (California Code)
Driving Under the Influence (DUI)	It is illegal to operate a vehicle with a blood alcohol content of 0.08 percent or more. Cal. Veh. Code § 23152. It is also illegal to operate a vehicle when addicted to the use of any drug unless the person is participating in an approved narcotic treatment program. <i>Id.</i> Violation of these provisions is a misdemeanor. See Cal. Veh. Code § 40000.15. Punishment for a first offense is between 96 hours to 6 months imprisonment, with at least 48 continuous hours, as well as a fine of \$390 to \$1,000. See Cal. Veh. Code § 23536.

Drug and Alcohol Abuse Prevention Program

Education Programs

Each year, the College assigns the following courses to employees and/or students:

- **Drug & Alcohol at Work:** Designed to inform learners about the dangers of drugs and alcohol in the workplace.

Awareness Months

Events are held in recognition safety and security awareness months including domestic violence and sexual assault:

- S.A.V.E – Sexual Assault, Alcohol & Drugs, Violence Education Campaign & Denim Day
 - During the month of the April, the Sexual Assault & Alcohol Awareness Month.

Sexual Misconduct Policy & Procedures

The College is committed to providing a safe learning and working environments for all members of the College community. The guidelines below are intended to aid the College in preventing and responding to sexual violence as outlined in the Clery Act and the Campus Sexual Violence Elimination Act (“SAVE Act”). These guidelines apply to all members of the College Community (students, faculty, and staff), as well as contractors and visitors (collectively, “College Community Members”).

The College does not tolerate sexual misconduct in any form. Sexual misconduct includes, but is not limited to, sexual harassment and sexual violence, including forcible and non-forcible sex offenses, sexual assault, domestic violence, dating violence, or stalking, as defined below.

The College will respond promptly and effectively to reports of sexual misconduct, and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior in violation of its Policy on Sexual Misconduct.

College Community Members who, after a thorough review of the facts, are found, based on a preponderance of evidence, to have violated this policy will be subject to discipline, up to and including dismissal or termination of employment. In extraordinary circumstances, the President may suspend a member of the College Community from participating in activities where there is a reasonable belief that serious and immediate harm to others will ensue. The College may institute discipline and other measures regardless of whether the College Community Member is also facing criminal or civil charges in a court of law.

The Policy on Sexual Misconduct applies to all College employees, students, and other College Community Members, regardless of gender/gender identity and sexual orientation, for sexual misconduct occurring on the College’s campuses or in connection with its educational programs, activities, and services, or that puts College Community Members at risk of serious harm or otherwise creates a hostile learning and/or working environment.

The College also bars retaliation against any employee, student, or applicant who files a good faith report of sexual misconduct or otherwise participates in an investigation relating to the same.

Sexual Harassment

Sexual Harassment is defined as unwelcome sexual conduct of any nature, communication (either verbal or pictorial) of a sexual nature, or solicitation of sexual advances of any nature, when any of the above conduct or communications is not mutually agreeable to both parties and any of the following conditions apply:

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- The submission to such conduct, communication, or solicitation is made explicitly or implicitly a term or condition of an individual's employment or academic process.
- Submission to or rejection of such contact, communication, or solicitation by an individual is used or threatened as a basis for employment or academic decisions affecting such individual.
- Such conduct, communication, or solicitation has the purpose or effect of being sufficiently severe, pervasive/persistent, and objectively offensive that it could alter the conditions of education or employment, by interfering with an individual's work, academic performance, living conditions, or status.

Because it is difficult to describe every instance relating to unlawful harassment, all members of the College Community are expected to behave, always, in a respectful and professional manner.

If YOU Experience Sexual Misconduct

While College prohibits all acts of sexual misconduct, should you find yourself in a situation where sexual misconduct has occurred, we encourage you to do the following:

Find a Safe Place: Get to a safe place as soon as you can.

- If you believe you or anyone else is in immediate danger, you should alert law enforcement as soon as possible.
- Once you are safe, contact someone you trust to be with you for support. This could be a friend, family member, or even a specially trained sexual assault advocate.

Preserve Evidence of the Incident: It is important to preserve evidence as it may be necessary in providing proof of criminal activity or in obtaining a protection order.

- Evidence is best collected as soon as possible or at least within 96 hours of the assault. Assistance with evidence preservation can be provided by medical and/or law enforcement personnel.

Get Medical Attention: Medical attention should be sought as soon as possible.

- This is necessary to mitigate the risk of sexually transmitted diseases or pregnancy and to determine the existence or extent of, and to treat, any physical injury.
- Additionally, forensic evidence can be collected if criminal action is or may be desired in the future.

Consider Reporting the Incident: There are several reporting options including reporting to:

- Local law enforcement
 - Reporting sexual assault, domestic violence, dating violence, and stalking to the police does not commit the victim to further legal action.
- Reporting to the Title IX Coordinator ([see Contact Page; Page 6](#)).
 - School authorities will assist in notifying law enforcement if requested.

While victims are not required to report to local law enforcement to receive assistance or pursue options within the College, the earlier an incident is reported, the easier it will be for the police to investigate if the victim decides to proceed with criminal charges.

If a reported incident did not occur on campus, the College can assist the survivor in notifying the local police department with jurisdiction over the crime.

Counseling and other Supports: The College encourages victims of sexual misconduct to talk to someone about what has happened, which may include counseling. Whether services are sought on campus or in the community, remember that self-care is an important part of coping with the event.

The College encourages any person who believes they may have been sexually assaulted consider seeking assistance of the professional at a SART (Sexual Assault Response Team) Center

SART centers are open 24 hours a day, 7 days a week and provides important service in the aftermath of an assault, including:

- Free & confidential medical care (including medications to assist in preventing sexually transmitted infections (including HIV) and emergency contraception, if requested);

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- Free & confidential crisis counseling
- Collection of forensic evidence; and free transportation, if necessary.

To find a SART center: National Sexual Assault Hotline 800-656-4673 <https://www.rainn.org>

Resources and Services

The following resources and services are available to victims of sexual misconduct in the Pasadena, Greater Los Angeles area, and San Jose, CA:

- **Peace Over Violence (Pasadena)**

A sexual and domestic violence, stalking, child abuse and youth violence prevention center headquartered in Los Angeles and dedicated to building healthy relationships, families, and communities free from sexual, domestic, and interpersonal violence.

Metro Headquarters: 1015 Wilshire Blvd. Suite 200 - Los Angeles, CA 90017

West San Gabriel Valley Center: 892 N. Fair Oaks Avenue, Suite D – Pasadena, CA 91103

24-Hour Hotline: 626-793-3385

Website: www.peaceoverviolence.org

- **Rape Treatment Center (Greater Los Angeles Area)**

The Rape Treatment Center is nationally recognized for its comprehensive, free treatment for sexual assault victims, including 24-hour emergency medical care. Victim advocacy services are available.

Address: 1250 Sixteenth Street, Santa Monica, California 90404

24-hour Hotline: 424-259-7208

Website: <https://www.uclahealth.org/medical-services/rtc>

- **YWCA Silicon Valley: Support Services Program Sexual Assault Services**

The YWCA Support Services helps residents of Silicon Valley to minimize the traumatic aftermath of sexual assault and to promote safety, mobility, and freedom from abuse for all people.

Services include 24-hour crisis line for survivors, family members, and friends; Accompaniment of the survivor to hospital and through the reporting and judicial process; Child abuse and assault prevention programs for children, teens, and the general community; Peer support groups for rape and childhood sexual abuse survivors; Free confidential crisis counseling.

Address: 375 3rd St San Jose, CA 95112 Phone: (408) 287-3000

24-hour Sexual Assault Crisis Line: 800-572-2782

Website: <http://ywca-sv.org/our-services/support-services/sexualassaultservices>

- **Family Justice Center at AACI (San Jose)**

The Family Justice Centers provide a multi-disciplinary team who coordinates services to focus exclusively on victims of domestic violence by making services and resources available in one centralized location.

Services provided include Advocacy and counseling services for victims of domestic violence and their children; Legal services including immigration and domestic violence-related family court services; Personal contact with Police investigators who specialize in Domestic Violence and Stalking, the District Attorney's Office, and Probation Officers; Referral to 24-hour emergency shelters or other emergency housing.

Address: 749 Story Road Suite 50 San Jose, CA 95122

Phone: 408-975-2739

Website: <https://dv.aaci.org/get-help/family-justice-center-at-aaci/>

In addition, the College offers as a benefit to its students and employee the following resources:

- Student Solutions 855-460-6668; www.guidanceresources.com; Web ID: PACIFIC
- Employee Assistance Program (EAP) ComPsych 800-272-7255; www.guidanceresources.com; Web ID: COM589

Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary

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proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Possible Sanctions for Violations of College's Policy on Sexual Misconduct

Upon finding that sexual misconduct occurred, the Title IX Coordinator will commence the sanctioning process for review and determination of appropriate sanctions. A Sanctions Panel will be convened to review the investigative findings and recommended sanctions and will meet within 5 calendar days of receiving the Title IX Coordinator's findings.

In addition to sanctions, the Title IX Coordinator may also recommend that College or College Community Members adopt additional measures to remediate and/or prevent further conduct in violation of this policy.

The College's sanctions process is intended to provide an equitable process to both the Reporting Party and Responding Party, demonstrating promptness, fairness, and impartiality.

Sanctions against students may include, but are not limited to the following:

- Formal written warning.
- Academic Development Plan.
- No contact order pertaining to certain College Community Members or physical locations.
- Removal from specific courses or institutional activities; and/or
- Dismissal.

In addition, further protections for the Reporting Party may be available.

Sanctions against other College Community Members, including employees, may include, but are not limited to the following:

- Formal written warning.
- Professional Improvement Plan.
- No contact order pertaining to certain College Community Members or physical locations.
- Removal from specific courses or institutional activities; and/or
- Dismissal.

For the full Anti-Harassment Policy, Anti-Discrimination Policy, and Title IX Policy, as well as additional resources, please visit our Campus Safety Webpage: <https://www.pacificoaks.edu/student-resources/campus-safety/>

Dating Violence, Domestic Violence, Sexual Assault & Stalking Policies, Programs & Procedures

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Anti-Discrimination, Anti-Harassment & Title IX Policy : <https://admin.pacificoaks.edu/wp-content/uploads/2021/06/Anti-Harassment-Anti-Discrimination-and-Title-IX-Policy-2020.08.FINAL-2021.03.08.pdf>

The following sections of this report discuss the College's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses and

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advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

Ongoing Prevention and Awareness Campaign:

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

Crime Definitions

Crime Type (CA Penal Code)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that California law does not define the term dating violence.
Domestic Violence	<p>“Domestic violence” is abuse perpetrated against any of the following persons: (a) A spouse or former spouse. (b) a cohabitant or former cohabitant, as defined in Section 6209. (c) A person with whom the respondent is having or has had a dating or engagement relationship. (d) A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act. (e) A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected. (f) Any other person related by consanguinity or affinity within the second degree. (Cal Fam. Code. § 6211).</p> <p>California law (Cal. Pen. Code §§ 242 & 243(e)(1)) provides penalties for battery (i.e., any willful and unlawful use of force or violence against another) when it is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.</p> <p>Also, Cal. Pen. Code § 273.5 provides penalties for willful infliction of corporal injury:</p> <ol style="list-style-type: none">1. Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.2. Subdivision (a) shall apply if the victim is or was one or more of the following:<ol style="list-style-type: none">a. The offender's spouse or former spouse.b. The offender's cohabitant or former cohabitant.c. The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.d. The mother or father of the offender's child.3. Holding oneself out to be the spouse of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.4. As used in this section, “traumatic condition” means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, “strangulation” and “suffocation” include impeding

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Crime Type (CA Penal Code)	Definitions
Domestic Violence (cont'd)	<p>the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.</p> <p>5. For the purpose of this section, a person shall be considered the father or mother of another person's child if the alleged male parent is presumed the natural father under Sections 7611 and 7612 of the Family Code.</p>
Stalking (Ca. Pen. Code § 646.9)	<ul style="list-style-type: none"> • Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking. • The following definitions apply to the crime of stalking: <ul style="list-style-type: none"> ○ “harasses” means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose. ○ “course of conduct” means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.” ○ “credible threat” means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family. It is not necessary to prove that the defendant had the intent to actually carry out the threat. The present incarceration of a person making the threat shall not be a bar to prosecution under this section. Constitutionally protected activity is not included within the meaning of “credible threat.” ○ the term “electronic communication device” includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. “Electronic communication” has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.
Sexual Assault	<p>The institution has determined, based on good-faith research, that California law does not define the term sexual assault. California prosecutes such crimes as “sexual battery” under Cal. Penal Code § 243.4 defined as:</p> <ol style="list-style-type: none"> 1. Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. 2. Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. 3. Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the

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Crime Type (CA Penal Code)	Definitions
Sexual Assault (cont'd)	<p>state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).</p> <ol style="list-style-type: none"> 4. Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. 5. (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery. (2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim. 6. As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense. 7. As used in this section, the following terms have the following meanings: <ol style="list-style-type: none"> a. "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female. b. "Sexual battery" does not include the crimes defined in Section 261 or 289. c. "Seriously disabled" means a person with severe physical or sensory disabilities. d. "Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication. e. "Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital. f. "Minor" means a person under 18 years of age.
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under California law are as follows:</p> <ul style="list-style-type: none"> • Rape (Cal. Pen. Code § 261): (a) Rape is an act of sexual intercourse accomplished under any of the following circumstances: <ol style="list-style-type: none"> 1. If a person who is not the spouse of the person committing the act is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. This paragraph does not preclude the prosecution of a spouse committing the act from being prosecuted under any paragraph of this subdivision or any other law. 2. If it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another. 3. If a person is prevented from resisting by an intoxicating or anesthetic substance, or a controlled substance, and this condition was known, or reasonably should have been known by the accused. 4. If a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions: (A) Was unconscious or asleep; (B) Was not aware, knowing, perceiving, or cognizant that the act occurred; (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact; (D) Was not aware, knowing, perceiving, or

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Crime Type (CA Penal Code)	Definitions
Rape, Fondling, Incest, Statutory Rape (cont'd)	<p>cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.</p> <ol style="list-style-type: none"> 5. If a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by artifice, pretense, or concealment practiced by the accused, with intent to induce the belief. 6. If the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death. 7. If the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official. <ul style="list-style-type: none"> • (b) For purposes of this section, the following definitions apply: (1) "Duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and the victim's relationship to the defendant, are factors to consider in appraising the existence of duress. (2) "Menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another. • Fondling: The institution has determined, based on good-faith research, that California law does not define the term fondling. California prosecutes such crimes as "sexual battery" under Cal. Penal Code § 243.4 (defined above). • Incest (Cal. Pen. Code § 285): Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison. • Statutory Rape: The institution has determined, based on good-faith research, that California law does not define the term statutory rape. California prosecutes such crimes as "Unlawful sexual intercourse with person under 18" under Cal. Penal Code § 261.5 (defined below).
Other "sexual assault" crimes	<p>Other crimes under California law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> • Unlawful sexual intercourse with person under 18 (Cal. Pen. Code § 261.5): <ol style="list-style-type: none"> 1. Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age. 2. Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. 3. Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or felony, and shall be punished by imprisonment in a county jail

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Crime Type (CA Penal Code)	Definitions
Other "sexual assault" crimes (cont'd)	<p>not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.</p> <p>4. Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.</p> <ul style="list-style-type: none"> • Unlawful sexual intercourse, sexual penetration, oral copulation or sodomy; consent procured by false or fraudulent representation with intent to create fear (Cal. Pen. Code § 266c): Every person who induces any other person to engage in sexual intercourse, sexual penetration, oral copulation, or sodomy when his or her consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person's free will, and does cause the victim to so act, is punishable by imprisonment in a county jail for not more than one year or in the state prison for two, three, or four years. As used in this section, "fear" means the fear of physical injury or death to the person or to any relative of the person or member of the person's family. • Aggravated sexual assault of a child (Cal. Pen. Code § 269): Any person who commits any of the following acts [as defined by state law] upon a child who is under 14 years of age and seven or more years younger than the person is guilty of aggravated sexual assault of a child: (1) Rape; (2) Rape or sexual penetration, in concert; (3) Sodomy; (4) Oral copulation; (5) Sexual penetration. • Sodomy (Cal. Pen. Code § 286): Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy. • Oral copulation (Cal. Pen. Code § 287): Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person. • Forcible acts of sexual penetration (Cal. Pen. Code § 289): <ol style="list-style-type: none"> 1. Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years. 2. Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years. 3. Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.
Consent (as it relates to sexual activity)	<ul style="list-style-type: none"> • Cal. Pen. Code § 261.6: In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, "consent" means positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 286, 287, or 289, or former Section 262 or 288a.

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Crime Type (CA Penal Code)	Definitions
Consent (as it relates to sexual activity) (cont'd)	<ul style="list-style-type: none">Cal. Pen. Code § 261.7: In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

College Definition of Consent

The College uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

At Pacific Oaks, consent is informed, voluntary, and revocable.

- Consent cannot be given when a person is incapacitated.
- Consent is informed.
- Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.
- Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.
- Consent is revocable.
- Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity.
- Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately. Any condition on consent imposed by a consenting party must be respected, or the interaction may not be considered consensual.
- Consent cannot be given when a person is incapacitated.
- A person cannot consent if s/he is asleep, unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion.
- A person cannot consent if their understanding of the act is affected by a physical or mental impairment.
- A person cannot consent if the person is incapacitated due to the use of or influence of alcohol or drugs.
- Consent means affirmative, conscious, and voluntary agreement given by both parties to engage in sexual activity.

It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity. Neither lack of protest or resistance nor silence means consent has been given. Affirmative consent must be ongoing throughout sexual activity, and consent can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never alone be assumed to be an indicator of consent.

Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

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If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Do not make assumptions about the other person's consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider "mixed messages" a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Do not take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, do not be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; "playful" use of force during sex; Jekyll-and-Hyde personality.

Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911. You may also contact the College's

Title IX Coordinator

Michael Patton, Dean of Students
45 Eureka Street
Pasadena, CA 91103
E-mail: POTitleIX@pacificoaks.edu
Phone: (626) 529-8498

Deputy Title IX Coordinator

Jane Sawyer, VP, HR & Organizational Effectiveness
45 Eureka Street
Pasadena, CA 91103
E-mail: POTitleIX@pacificoaks.edu
Phone: (626) 529- 8437

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Do not bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at the following:

State/Local Resources:

Crime Victims Services 877-433-9069
<http://caag.state.ca.us/victimservices/>

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Southern California/Pasadena

- San Gabriel Valley Medical Center
877-209-3049 (SART)*
- Huntington Hospital
(626) 397-5000
100 W. California Blvd. Pasadena, CA 91105

Northern California/San Jose

- Santa Clara County (SACS)
855-278-4204
- Santa Clara Valley Medical Center
408-885-5000 (SART)
751 S Bascom Ave, San Jose, CA 95128

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- Security/Front Desk 626-529-8432
- Pasadena Police/Fire Department 911 207 Garfield Avenue, Pasadena, CA 91101
- San Jose Police/Fire Department 911 201 W. Mission Street, San Jose, CA 95110

To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

Pacific Oaks complies with California law in recognizing restraining orders or no contact orders. Students should provide a copy to the Dean of Students or their designee. Likewise, employees should provide a copy to the Vice President of Human Resources or their designee.

A complainant may then meet with Dean of Students for students or the Vice President of Human Resources for employees to develop a Safety Action Plan, which is a plan for Campus Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: Security escorts, special parking arrangements, changing classroom or work location, or allowing a student to complete assignments from home, etc.)

The College cannot apply for a legal order of protection from the applicable jurisdiction, aka: Restraining order or Emergency Protective Order, which is issued by a law enforcement agency or court of law for a faculty, staff, or student. Human Resources (employees) or Student Services (students) may assist a Pacific Oaks community member by directing them to the appropriate agency for assistance.

Type Of Order	Rights of Victims	Institution's Responsibilities
Restraining orders	The right to a restraining order	Develop a Safety Action Plan when requested by the victim
Orders of protection	Same as restraining order	Same as restraining order
No contact orders	Same as restraining order	Same as restraining order
Similar lawful orders issued by a criminal, civil, or tribal court	Same as restraining order	Same as restraining order
Orders by the College	The right to request a "no contact" directive	Student Services and/or Human Resources will evaluate and issue a "no contact" directive if necessary.

Restraining orders and other protective orders may be available through the applicable jurisdiction (see chart below).

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Type of Order:	Who Can File For One:	Court:	Based On:
Domestic Violence Civil Protection Order (Restraining Order in California)	Family or household members including: ○ Spouses, former spouses ○ Parent, child, foster parent ○ People who have kids together ○ Intimate partners who lived together in the last 5 years	Domestic Relations Court –where victim lives, where abuser lives or has a business, or where incident(s) occurred	Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for recent the incident must be)
Stalking Protection Order (Restraining Order in California)	Any person who is a victim of stalking. No relationship with stalker is required.	Common Pleas Court - Where victim lives (if family or household member, can be filed as DV Protection Order, see above)	Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim believe the stalker will cause harm
Sexually Oriented Offense Protection Order (Restraining Order in California)	Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with the offender is required. Case does not have to be criminally prosecuted.	Common Pleas Court – where victim lives	Sexual assault or unwanted sexual contact (see ORC 2950.01)

The College will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the institution will take all reasonable and legal action to implement the order.

The institution does not issue legal orders of protection. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services:

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the College and in the surrounding community. Those services include:

College Resources

- Student Solutions 855-460-6668; www.guidanceresources.com
 - Web ID: PACIFIC
- Employee Assistance Program (EAP) ComPsych 800-272-7255; www.guidanceresources.com
 - Web ID: COM589

Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College’s financial aid website can be found at: <http://www.pacificoaks.edu/admissions/cost-financial-aid/financial-aid-services/>

For State/Local or Federal Resources – [please refer to page 6.](#)

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Accommodations and Protective Measures:

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator at POTitleIX@pacificoaks.edu, and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the College in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the College will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Procedures for Disciplinary Action:

Reporting Allegations or Incidents of Sexual Misconduct

Sexual misconduct is a threat to the entire College community. Incidents occurring on College property must be brought to the attention of campus personnel. If you are the victim or witness to a crime, you have the responsibility to report it immediately to a Campus Security Authority (CSA) and the local police. All members of the College community are encouraged to report all crimes or suspicious activity accurately and promptly. Incidents can be reported by submitting an [Incident Form](#) directly to the [Human Resources](#) Office by calling the office at (626) 529-5437 or mobile phone 626-660-8742. Emergencies requiring immediate attention should be reported to emergency responders by calling 9-1-1 (from an office line 9-9-1-1) or the local non-emergency number. All work-related injuries or illnesses must be reported to Human Resources by calling 626-529-8436 or emailing poccsshr@pacificoaks.edu.

Confidentiality

If a Reporting Party discloses an incident to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident is conducted or disciplinary action is taken, College must weigh that request against College's obligation to provide a safe, non-discriminatory environment for all students, including the Reporting Party.

If College honors the request for confidentiality, a Reporting Party must understand that the school's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Please understand, however, that there are times when the College may not be able to honor a Reporting Party's request to provide a safe, non-discriminatory environment for all members of the College Community.

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes under the Clery Act. All personally identifiable information is kept confidential, but statistical information must be passed along to Campus Security Authorities regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual

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Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, thereby ensuring greater community safety.

Making a Report to Law Enforcement

The College encourages Community Members who have experienced sexual misconduct to immediately report the incident to the local police department or another area law enforcement agency.

Reporting sexual assault, domestic violence, dating violence, and stalking to the police does not commit the Reporting Party to further legal action. However, the earlier an incident is reported, the easier it will be for the police to investigate if the Reporting Party decides to proceed with criminal charges.

Early reporting makes it more likely that the police will be able to gather needed evidence before it is lost or destroyed, and that the Reporting Party will receive timely notice of potentially helpful victim/witness services.

Making a Report to College

College Community Members who have experienced sexual misconduct or are aware of incidents experienced by other College Community Members should immediately report the incident to the local police department.

Reporting sexual assault, domestic violence, dating violence, and stalking to the police does not commit the reporting party to further legal action. However, the earlier an incident is reported, the easier it will be for the police to investigate if the reporting party decides to proceed with criminal charges.

College Community Members, including employees, supervisors, co-workers, vendors, consultants, visitors, or other students, are encouraged to report incident(s) of sexual misconduct to the College's Title IX Coordinator. The Deputy Title IX Coordinator serves as an additional resource and assists in the application of the College's policy prohibiting Harassment and Sexual Misconduct.

The Title IX Coordinator will provide the Reporting Party with information about available support services and resources, and assist the Reporting Party in notifying law enforcement, including the local police, if the Reporting Party elects to do so.

To receive assistance from or pursue any options within College, Reporting Party are not required to report to area law enforcement

Title IX Coordinator

Michael Patton, Dean of Students
45 Eureka Street, Pasadena, CA 91103
E-mail: POTitleIX@pacificoaks.edu
Phone: (626) 529-8498

Deputy Title IX Coordinator

Jane Sawyer, VP, HR & Organizational Effectiveness
45 Eureka Street, Pasadena, CA 91103
E-mail: POTitleIX@pacificoaks.edu
Phone: (626) 529- 8437

Confidentiality

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

If a Reporting Party discloses an incident to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident is conducted or disciplinary action is taken, College must weigh that request against College's obligation to provide a safe, non-discriminatory environment for all students, including the Reporting Party.

If College honors the request for confidentiality, a Reporting Party must understand that the school's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Please understand, however, that there are times when the College may not be able to honor a Reporting Party's request to provide a safe, non-discriminatory environment for all members of the College Community.

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Options for Bystander Intervention

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who:

- Observe violence or witness the conditions that perpetuate violence.
- Are not directly involved but have the choice to intervene, speak up, or do something about it.

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

Below is a list of some ways to be an active bystander:

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

Procedures When Sexual Misconduct is Reported to College

Upon receiving a report of sexual misconduct, the College will respond by providing the Reporting Party with supportive resources and interim interventions (where appropriate) and conducting a prompt, fair, and impartial from the initial investigation to the result by a trained official. The response and investigation procedures are designed to provide a supportive process for those who report sexual misconduct as well as fairness and due process for the individual being accused.

When a student or employee reports to the College that the student or employee has been a victim of sexual misconduct, including sexual assault, dating violence, stalking, or domestic violence, whether the offense occurred on or off campus, College will provide written notification to the student or employee of their rights and options to:

- Notify appropriate law enforcement authorities, including on-campus and local police.
- Receive assistance from School personnel in reporting a crime to law enforcement authorities if the student requests such assistance.
- Decline to notify such authorities and/or decline to report to the College
- Request interim protective measures and accommodations, such as a change in their academic, living, dining, transportation or working situations, if those changes are requested and are reasonably available, regardless of whether the victim chooses to file a police report. (More information is provided below on interim protective measures)
- Request assistance from campus authorities in obtaining and enforcing a restraining order or "no contact" directive and, if such measures are reasonably available, an order of protection or no contact order in state court.
- A clear description of the school's disciplinary process including the range of possible sanctions.
- Information and assistance about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community.
- Seek confidential advocacy and support from a professional counselor or pastoral counselor.

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The College recognizes that in certain circumstances, informal resolution of a report of sexual misconduct may be beneficial to the Reporting Party, the Responding Party, other involved persons (witnesses), and/or the College Community at large. Whether a report of sexual misconduct is appropriate for informal resolution is within the discretion of the Title IX Coordinator, except those reports of sexual assault are never appropriate for informal resolution.

When the Title IX Coordinator determines that informal resolution is not appropriate or formal resolution is requested by either the Reporting Party or Respondent, the College will launch an investigation.

Once the Title IX Coordinator determines that a formal investigation is appropriate, the College will conduct a thorough and impartial investigation by an individual who has received annual training on issues related to dating violence, domestic violence, stalking and sexual assault and to investigate reports of sexual misconduct while protecting the safety of the victims and promotes accountability. (This may be the Title IX Coordinator, Deputy Title IX Coordinator, or other designee approved by the President.)

Typically, an investigation into reports of sexual misconduct will include a period of fact-finding led by the Title IX Coordinator, during which time the Reporting Party (Claimant), Responding Party (Respondent), and other relevant persons will be given the opportunity to participate in the investigation by sharing information with the Title IX Coordinator. Persons participating in an investigation will have the opportunity to submit a written statement, provide supporting materials, and identify witnesses. Absent delay to allow police to gather evidence or agreement by the parties, the College will make every reasonable effort to investigate and reach a resolution on all reports of sexual misconduct within sixty (60) calendar days after the Title IX Coordinator's receipt of a report.

The College investigates reports of sexual misconduct independently of local law enforcement. In investigating and determining whether a violation of this policy has occurred, the Title IX Coordinator will utilize the "preponderance of the evidence" standard of proof. This means that Title IX Coordinator will determine whether it is "more likely than not" that sexual misconduct occurred.

Both parties to a complaint of sexual misconduct will be updated as to the status of the investigation and related proceedings as necessary, or upon request. During any meetings or proceedings, the Reporting Party and the Responding Party are entitled to have an advisor present if it does not result in undue delay.

An advisor is a support person who is present to provide support to the Reporting Party or Responding Party during any meetings or proceedings. An advisor may not communicate with an investigator on behalf of the Reporting Party or Responding Party. If the advisor is an attorney, the attorney is required to act in a supportive role and may not serve as the student's advocate or formally represent the student.

Once the Title IX Coordinator has concluded the investigation, the College will simultaneously issue the written findings to both the Reporting Party and the Responding Party.

Interim Supportive Measures

During an investigation, interim protections, and accommodations for both the Reporting Party and the Responding Party may be put in place, regardless of whether the Reporting Party chooses to report the incident to local law enforcement. If requested by the Reporting Party or Responding Party and reasonably available, interim protections may include changes to academic and/or work situations. In addition, the College will aid, if requested, about obtaining, and enforcing campus no contact orders, and will honor an order of protection or no contact order entered by a state, civil or criminal court. The Title IX Coordinator shall review all requested interim protections and accommodations, shall determine what is available and appropriate and shall notify the party requesting the interim protection or accommodation of the determination. Such interventions may be kept in place until the conclusion of the Title IX investigation and the sanctioning and appeal processes and shall be kept confidential, to the extent possible.

The College may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking, which may include some or all the following actions: no contact orders, changes to class schedules or modification to academic requirements.

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Disclosure of Disciplinary Proceeding Results

When disciplinary proceedings resulting from an investigation into sexual misconduct, the College will simultaneously inform all parties, in writing, of:

- The outcome of the disciplinary proceeding.
- College's procedures for appeal.
- Any changes in the outcome of disciplinary proceedings that occur; and
- When the outcome of disciplinary proceedings becomes final.

Disciplinary Proceeding Results

The College will disclose the results of any disciplinary proceeding against a student who is the alleged perpetrator of a crime of violence (as defined by Section 16 of Title 18 of the United States Code, 18 U.S.C. §16), or a non-forcible sex offense to the alleged victim. If the alleged victim is deceased because of the crime or offense, the next of kin of the victim shall be treated as the victim for purposes of notification.

Rights of the Parties in an Institutional Proceeding:

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - a. A prompt, fair and impartial process is one that is:
 - i. Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - ii. Conducted in a manner that:
 1. Is consistent with the institution's policies and transparent to the accuser and the accused.
 2. Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 3. Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.
 - iii. Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - a. Such training addresses topics such as the definition of sexual harassment; the scope of the College's education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; and avoiding actual and perceived conflicts of interest.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using the preponderance of the evidence standard.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:

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Following a final determination in the institution's disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the College may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the College at any official function or in any intercollegiate competition.

If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year.

An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the College can make available to the victim a range of protective measures. They include forbidding the accused from entering the victim's residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

Publicly Available Recordkeeping:

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College to the extent permitted by law.

Victims to Receive Written Notification of Rights:

When a student or employee reports to the College that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Registered Sex Offender Statement

The Campus Sex Crimes Prevention Act (effective October 28, 2002) provides for the tracking of convicted sex offenders enrolled at or employed at institutions of higher education. If registered sex offenders are enrolled or employed at a postsecondary institution, the offenders also must provide this information to the state. The state then provides the information to other law enforcement authorities in the jurisdiction where the institution is located. The Office of the Attorney General of California maintains a website, www.meganslaw.ca.gov, which provides information regarding Megan's Law and a registered sex offender locator.

Please note, however, that it is illegal under California law to use any disclosed public information to commit a crime against any registrant or to engage in illegal discrimination or harassment against any registrant.

Clery Geography Definitions

On-Campus

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

Non-campus

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

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Public Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, which is within the campus, or immediately adjacent to and accessible from the campus.

Clery Definitions of Reportable Crimes

The following are offenses that the College is required to report under the Clery Act. Criminal Offense, Hate Crime, arrest, and disciplinary referral statistics are counted based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program. The definitions for Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations are from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program. The definitions of Fondling, Incest and Statutory Rape are from the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR. Hate Crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual. Note that, although the law states that institutions must use the UCR Program definitions, Clery Act crime reporting does not have to meet all of the other UCR Program standards. For the categories of Domestic Violence, Dating Violence and Stalking, the Clery Act specifies that institutions use the definitions provided by the Violence Against Women Act of 1994 and repeated in the Department's Clery Act regulations.

Primary Crimes

- **Murder/Manslaughter** - defined as the willful killing of one human being by another.
- **Negligent Manslaughter** - is defined as the killing of another person through gross negligence.
- **Sexual Assault (Sex Offenses)**: Any sexual act directed against another person, without 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. This offense includes the rape of both males and females.
- **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest**: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape**: Sexual intercourse with a person who is under the statutory age of consent.
- **Robbery** - is defined as taking or attempting to take anything of value from the car, 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 defined as 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.
- **Burglary**- 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** - 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

Includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes.

- **Larceny/Theft**- includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.
- **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.

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- **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.
- **Destruction/Damage/Vandalism or 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.

Categories Of Prejudice:

- **Race** - A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- **Gender** - A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Gender Identity** - A preformed negative opinion or attitude toward a group of persons because of the gender identity by those persons.
- **Religion** - A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- **Sexual Orientation** - A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of a different sex.
- **Ethnicity/national origin** - A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions.
- **National Origin** - A preformed negative opinion about a group of persons based upon them being from a particular country or part of the world.
- **Disability** - A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

VAWA Crimes

- **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. 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. For the purposes of this definition -
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence:** A felony or misdemeanor crime of violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - 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;
 - 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: fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes 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.
 - Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

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Arrests and Disciplinary Referrals for Violations of Weapons, Drug Abuse and Liquor Laws:

The College is required to disclose the number of arrests and the number of persons referred for disciplinary action for the following law violations:

- **Weapons: Carrying, Possessing, Etc.:** Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
- **Drug Abuse Violations:** Violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
- **Liquor Law Violations:** Violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness

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Crime Statistic – Pasadena Campus

PACIFIC OAKS COLLEGE PASADENA CAMPUS CRIME STATISTICS

OFFENSE TYPE	CAMPUS PROPERTY			NON-CAMPUS PROPERTY			PUBLIC PROPERTY		
CRIMINAL OFFENSES	2020	2021	2022	2020	2021	2022	2020	2021	2022
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
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	1	0	0	0
Burglary	0	0	0	0	0	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0	1	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	3	0	0	0	0
Simple Assault	0	0	0	0	1	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage	0	0	0	0	1	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
HATE CRIMES BY PREJUDICE¹									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
ARRESTS & DISCIPLINARY REFERRALS									
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Weapons Law Violations Arrests	0	0	0	0	0	1	0	0	0
Weapons Law Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0

¹This covers the following offenses: Murder & non-negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damager/vandalism of property.

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Crime Statistic – San Jose Campus

PACIFIC OAKS COLLEGE SAN JOSE CAMPUS CRIME STATISTICS									
OFFENSE TYPE	CAMPUS PROPERTY			NON-CAMPUS PROPERTY			PUBLIC PROPERTY		
CRIMINAL OFFENSES	2020	2021	2022	2020	2021	2022	2020	2021	2022
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 ⁵	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible ⁶	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	3	0	0
Stalking	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	1	0
Aggravated Assault	0	0	0	0	0	0	1	1	0
Burglary	0	0	0	0	0	0	1	1	1
Motor Vehicle Theft	0	0	0	0	0	0	0	1	0
Arson	0	0	0	0	0	0	0	1	0
Larceny-theft	0	0	0	0	3	0	0	0	0
Simple Assault	0	0	0	0	1	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage,	0	0	0	0	1	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
HATE CRIMES BY PREJUDICE²									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
ARRESTS & DISCIPLINARY REFERRALS									
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Weapons Law Violations Arrests	0	0	0	0	0	0	0	0	0
Weapons Law Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0

² This covers the following offenses: Murder & non-negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damager/vandalism of property.