

# RED ROCKS COMMUNITY COLLEGE

## 2017 ANNUAL SECURITY REPORT

Red Rocks Community College provides this Annual Security Report to comply with the Crime Awareness and Campus Police Act of 1990, also known as the Clery Act. This report provides current and perspective students, faculty and staff with a comprehensive and transparent overview of the safety and security policies on our campuses, centers and sites. This report is prepared annually in collaboration with the Campus Police Department and the Vice President of Student Success, local law enforcement agencies and includes crime statistics from the three preceding calendar years for each campus. For a quick link to the College's crime statistics at the end of this report please click here. [www.rccc.edu/campus-police](http://www.rccc.edu/campus-police)

### The Jeanne Clery Disclosure of Campus Police Policy and Campus Crime Statistics Act, the Clery Act – Requirements

The Clery Act specifies that colleges and universities are obligated to disclose specific policies related to the act, to collect and retain records relative to report preparation and disseminate the information by a specific date to all students, employees and any individual upon request. Specifically, the College must:

- Collect, classify, and count crime reports and statistics;
- Create, maintain and make available a daily crime log of the most recent 60 days of crimes reported to the Campus Police office, which occur on; each campus, in or on non-campus buildings or property, or on public property within the campus or immediately adjacent to and accessible from the campus as well as reports of crime that occurred within the patrol jurisdiction of the Campus Police office;
- Gather and disseminate crime statistics from College Campus Police Department, local law enforcement agencies and other College officials who have significant responsibility for student and campus activities;
- Provide a statement of policy regarding the institution's campus sex assault programs to prevent sex offenses, and procedures to follow when a sex offense occurs including:
  - A description of the programs to promote awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses.
  - Notification of the accuser and accused rights and what possible sanctions may be imposed following the final determination of an on-campus disciplinary procedure regarding rape, acquaintance rape, or other sex offenses, forcible or non-forcible
  - Policy statement (Violence Against Women Reauthorization Act of 2013)
- Issue Campus Alerts;
- Provide "timely warning" notice to students and employees regarding the occurrence of Clery Act crimes which may constitute an immediate threat to the community and individuals;
- Issue an emergency notification upon notification or confirmation of significant emergency or dangerous situation;
- Establish evacuation procedures;
- Publish an annual security report by October 1<sup>st</sup> which contains the campus crime statistics for the past three calendar years and includes disclosures of specific campus policy and procedure statements.
- Provide a written or electronic version of the report to current employees and students by October 1<sup>st</sup> or the exact website where the report is located;
- Submit Crime Statistics each fall to the Department of Education, which include those crimes occurring within Clery Geography defined as; occur in or on College owned/leased buildings or property, on properties within the same reasonable contiguous geographic area, \*within any housing units owned and operated by the College, within any non-campus building or property owned or controlled by the College, and on public property running through the campus or immediately adjacent to and accessible from the campus;
- Retain the annual security report and all supporting documentation for seven years from the latest publication of the report to which they apply

The Red Rocks Community College Annual Security Report is written to comply with these mandates and to assist members of the College community in maintaining their personal safety. The report is written for the College and is inclusive of all campuses, centers and non-campus buildings unless other specified. The report includes crime statistics

for the Lakewood and Arvada Campuses.

The Jeanne Clery Disclosure of Campus Police Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f), as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student aid programs are subject to it.

The Clery Act requires that institutions disclose three general categories of crimes:

- Criminal Offenses
- Hate Crimes
- Alcohol, Drug and Weapons Arrests and Referrals for Disciplinary Action

RRCC does not own or operate any student housing and is not required to have a Fire Safety policy disclosure related to campus housing. RRCC works closely with the local fire departments having jurisdiction on our campuses, centers and off site locations and maintains campus wide fire alarm systems.

RRCC does not own or operate any student housing and is not required to have a Missing Student Notification policy disclosure. RRCC is committed to the safety of our campus students and will work closely with local, state and federal law enforcement if one of our students has been reported missing to them.

## **PREPARATION, PUBLICATION AND DISTRIBUTION OF INFORMATION**

The Clery Act requires Red Rocks Community College (RRCC) to compile statistics on specific crimes that are committed “on campus, in or on non-campus buildings or property, and on public property” and which are reported to (1) Campus Police personnel and (2) any “official of an institution who has significant responsibility for student and campus activities. The College requests that anyone who has knowledge of a crime or has a crime reported to them, file a report with a Campus Police Office. The College also requests crime information from those individuals who have been designated as “Campus Security Authorities.” The College makes a good faith effort to obtain information from the local police departments regarding on-campus, off-campus public property and non-campus buildings crimes which are reportable under the Clery Act. A request to the local law enforcement agency having jurisdiction over the campus, center or off campus site is sent by mail and information may be received back by mail or email. A reported crime which is published in the statistics does not have to be reported to, or investigated by the police, nor must a finding of guilt or criminal responsibility be made for the crime to be included in the statistics. Efforts are made during the statistical gathering process to ensure that reported crimes are not duplicated.

Annual crime statistics are submitted to the U.S. Department of Education as required by current federal regulations. Statistics for all Clery Act crimes must be disclosed by the type of crime that was committed, the year the crime was reported and the geographic location where the crime occurred. These statistics along with statistics from other institutions of higher education in the United States may be viewed at the DOE web site located at <http://ope.ed.gov/security/>. Printed copies of the RRCC Campus Annual Security Report are available on request through the Vice President of Student Success and Campus Police Office.

## **CRIME REPORTING AND AUTHORITY**

Red Rocks Community College Department of Campus Police officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Red Rocks Community College. Campus Police officers are sworn law peace officers and possess arrest power. All Student Code of Conduct violations are sent to and addressed by the College Vice President of Student Success. Criminal incidents are referred to the local police department that has jurisdiction on the campus. The Department of Campus Police maintains a professional working relationship with the local city police departments where each campus is located, their respective county sheriff’s office and the Colorado State Patrol.

Faculty, staff, and students are urged to immediately report all allegations of crime, criminal acts, attempted criminal acts, medical situations, security concerns and safety hazards to the Department of Campus Police. The proper reporting procedure is to contact a Campus Police Officer from a campus office/classroom phone, cell phone, security phone or in person at the Campus Police Office. In the event of an immediate threat or danger or medical emergency,

call 911 first and then call Campus Police. The 911 communications center will gather your information and dispatch the appropriate response personnel. RRCC also has an online “Report a Concern” system that is accessible from the College’s home page. Faculty, staff, students or visitors have the ability to report a concern via this system and the RRCC Behavioral Intervention Team will respond to concerns reported via this system.

For incidents occurring on campus, the Red Rocks Community College Campus Police Department should be contacted as soon as possible to facilitate proper reporting and resource utilization and to record the occurrence for crime reporting and preventive action.

Crime reporting for non-emergencies on campus should be reported to the Campus Police Department: 303-914-6394

If you are reporting a crime or emergency that occurred off campus, contact the local jurisdiction where the crime is occurring by dialing 911. Red Rocks Community College Campus Police does not need to be notified unless a student was involved.

Related Links: List of local police departments:

This is non-emergency contact information, **call 911 in an emergency.**

Lakewood Police Department    303-987-7111    <http://www.lakewood.org/police/>

Arvada Police Department        720-898-6900    <http://arvada.org/city-hall/departments/public-safety-department>

Jefferson Co. Crime Stoppers    720-913-7867    <http://metrodenvercrimestoppers.com>

## CAMPUS POLICE AUTHORITIES

Red Rocks Community College is required under the Clery Act to disclose statistics for crimes reported to local police agencies, the campus security department and campus security authorities. The intent in including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals and students in particular, are hesitant about reporting incidents directly to the police or may not have direct access to police.

The College has identified specific positions on each campus, who are not members of the College Campus Police Office, as campus security authorities. These people or offices have significant responsibility for student and campus involvement or activities which includes but is not limited to student discipline, student life activities, student clubs or any person who has the authority and the duty to take action to respond to particular issues on behalf of the College.

Those campus authorities who have been designated as a contact point for RRCC are:

- Department of Campus Police staff
- Title IX Administrator/Investigators
- Deans of Instruction
- Director of Student Life
- Student Life Activities Coordinator
- Faculty/Staff Club Advisors
- Campus Vice Presidents
- Student Success Directors/Managers/Staff

## PASTORAL COUNSELORS AND PROFESSIONAL MENTAL HEALTH COUNSELORS

RRCC does not employ or use volunteer pastoral counselors.

RRCC does contract with a licensed, professional mental health counselor who serves students at both campuses.

- A person whose official responsibilities include providing mental health counseling to students of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.
- The pastoral or professional counselor exemption is intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes they may have learned about. This is similar to the privilege provided under certain circumstances to doctors, counselors and attorneys when they may learn of crimes from patients or clients. This exemption is intended to protect the counselor-client role. However, even the legally recognized privileges acknowledge some exemptions, and there may be situations in which counselors are in fact under a legal obligation to report a crime.

## CONFIDENTIAL REPORTING PROCEDURES

Professional Mental Health Counselors may encourage students to voluntarily report crimes but they are legally bound by confidentiality and can only report a communicated intent to harm self, others and suspicion of child abuse or dependent adult abuse. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine whether there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

You may anonymously report a crime through [Colorado Safe2Tell](#) but this should not be used to report an emergency.

Reports filed with the Department of Campus Police are open to the public under the Colorado Open Records Act and Campus Police cannot maintain them in confidence in most circumstances. The College will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law.

Under Colorado Revised Statutes 18-8-115, it is the duty of every corporation or person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities.

## CRIME LOGS

The RRCC Campus Police Department maintains a Daily Crime Log which shows the date and time that an incident was reported including all crimes and other serious incidents which occur on our campuses and on public property adjacent to each campus, if known. These incidents are listed on a crime log which is available for public inspection Monday through Friday from 8:00 a.m. to 5:00 p.m.

The Daily Crime log includes the nature, date, time, and general location of all crimes reported to the police department as well as the disposition of the complaint if the disposition is known at the time the log is created. The crime log does not record any names. Incidents are recorded on the log within two business days of receiving the report of the incident. Exceptions to posting incidents on the crime log are: 1) the disclosure is prohibited by law; 2) if the disclosure would jeopardize the confidentiality of the victim. Campus Police may temporarily withhold information only if there is clear and convincing evidence that a release would: 1) jeopardize an ongoing investigation; 2) jeopardize the safety of the victim; 3) cause a suspect to flee or evade detection; 4) result in the destruction of evidence.

Crime logs requested outside of normal business hours may take up to 72 hours to process.

## SECURITY AND ACCESS

Red Rocks Community College does not have residence halls or student housing. A Campus Police Officer is normally on duty at a campus whenever the College is open during normal campus operating hours. This does not include the Arvada Campus. Campus Police does perform routine patrols several times a day at the Arvada Campus.

The College campuses operating hours may vary from campus to campus. Both campuses are open during business hours seven days per week. For campus specific hours please contact the Campus Call Center at 303-914-6600 or the Campus Police Department at 303-914-6394. After hours, College personnel and students do not have routine access to campus buildings. Any special event that may go beyond normal closure time must be pre-approved and the Campus Police Department Office will need to be informed.

To enhance building security and personal safety, certain campus buildings may be locked when not in use even though the campus is open. For access to buildings during these times contact the Campus Police Office. The college may modify its hours of operations during semester breaks and on College observed holidays. Emergencies and other College or campus concerns may necessitate changes to the normal operating hours.

Campus Police Officers conduct weekly building, security system, communication systems and campus grounds security audits. Any deficiencies found are addressed as soon as possible with the appropriate College department or system vendor. The campus Facilities Departments are integral in maintaining safe campus property and buildings. Non-emergency building or grounds concerns may be reported directly to the campus Facilities Department.

## CRIME PREVENTION

Crime prevention and awareness is not the sole responsibility of the Campus Police Department. It is a joint venture with the campus community, which it serves. RRCC Campus Police Department subscribes to the concept of community policing and looks for opportunities to present crime prevention and self-protection information to individuals and informal groups as an integral part of their daily patrol responsibilities. Officers interact with the students and staff to develop better relationships with the campus community. The Campus Police Department provides several programs and systems to inform faculty, staff, and students about campus and personal safety:

1. New Employee Orientation covers crime prevention and awareness, when and how to call 911, when and how to contact Campus Security, when and how to "Report a Concern" via the online system. Emergency procedures including evacuation and intruder response are included in New Employee Orientation.
2. Mandatory New Student Orientation is provided online at the beginning of every semester. Crime prevention and awareness, when and how to call 911, when and how to contact Campus Police, when and how to "Report a Concern" via the online system. Emergency procedures including evacuation are covered in New Student Orientation.
3. Campus publications are updated as needed to stay relative and timely. These include overall crime prevention, domestic violence, stalking, drug and alcohol awareness, when and how to call 911 and when and how to call Campus Police.
4. Security awareness literature is updated as needed to stay relative and timely. These include overall crime prevention, domestic violence, stalking, dating violence, sexual assault, how to obtain a Protective Order, drug and alcohol awareness, when and how to call 911 and when and how to call Campus Police.
5. Informational and educational lecture program during each semester. These include non-gender based crime prevention and awareness, department meetings, sexual assault awareness and domestic violence awareness given by local law enforcement or community based organizations.
6. Special security announcements and information in reference to immediate concerns. Campus Police will issue a Community Notice for concerns that do not rise to the level of Timely Warning. They have also encouraged the campus community to use the online 'Report a Concern' link.
7. Informal one to one safety and security talks. Campus Police will provide one to one training while on patrol.
8. Formal department meetings in the departments work space. Campus Police will meet with a specific department, within their work space, to discuss safety and security issues of all types.

In addition to programs offered by the Campus Police Department, additional programs are offered from time to time by the Office of Student Success, campus Student Life, the Office of Inclusion and Diversity, Accessibility Services or local law enforcement.

## CAMPUS SAFETY ESCORT SERVICE

RRCC Campus Police provides an on campus safety escort service upon request. Anyone requesting an escort may stop by the Campus Police Office or contact them using a Campus Police phone or cell phone.

## PERSONAL SAFETY

The Campus Police Department utilizes patrolling officers and security officers to observe and detect crimes and threats on campus. The Campus Police Officer's function is primarily informational and advisory, rather than regulatory. Campus Police Officers are certified police officers and empowered as such. The primary protective means used is restricting campus access and use to only those authorized students, staff, employees, or their guests for reasonable and safe purposes. A safe campus is everyone's responsibility.

Do your part to protect yourself and others. Increased awareness by all of us can help prevent crime and keep our community safe.

Listed below are ways you can help protect yourself from criminal activity on and off campus:

- Always secure your residence or office door whenever you leave (even for just a minute.)
- Do not store large amounts of money, jewelry, or other valuables in your room or office.
- Never leave your backpack or purse unattended in an office or open area. Always secure them in a filing cabinet or drawer and lock it.
- Never loan your keys or I.D. to anyone.
- Do not leave messages on your door that might indicate that you will be away for a period of time.
- Sales people are not allowed to solicit on campus. If you see someone soliciting on campus, call Campus Police immediately.
- If you see someone who looks suspicious on campus, call Campus Police immediately. We want to verify if the individual has a valid reason to be on campus.
- Try not to walk alone at night. Should you have to, stay in well-lit areas. Walk with a purpose.
- Be aware of your surroundings. If you anticipate a dangerous situation, stay clear and call Campus Police immediately.
- Always lock your vehicle. Put valuables and identifying papers in the trunk.
- When walking to your vehicle, have your keys ready before you get to the door.
- Check to make sure that no one is in your vehicle before you get inside.
- After entering your vehicle, lock all doors and get going.
- Know the locations of all security phones in campus buildings; you can use these to call Campus Police.
- Don't carry large amounts of cash. A front pocket is safer for a wallet than a back one.
- Don't take unnecessary risks. You can never tell if a robber is armed. No amount of money is worth taking chances with your life.
- Stay away from isolated areas.
- Lock your bicycle when you're not using it.
- Be aware of your surroundings. Report any suspicious activity to Campus Police or local police immediately. Try to give a description that includes approximate age, height, and weight and details on hair, clothing, shoes, jewelry, scars, and tattoos - anything that is noticeable.
- Always take steps to protect yourself. Using common sense is often your best protection.

Campus Police Information Links:

<http://clerycenter.org/>

<http://www.ed.gov/admins/lead/safety/campus.html>

Identity Theft Information / State and Federal sites:

<https://www.colorado.gov/pacific/cbi/identity-theft-fraud-and-cyber-crimes-victim-support>

<https://www.consumer.ftc.gov/features/feature-0014-identity-theft>

<https://www.fbi.gov/investigate/white-collar-crime/identity-theft>

<https://www.annualcreditreport.com/cra/index.jsp>

<https://www.justice.gov/criminal-fraud/identity-theft/identity-theft-and-identity-fraud>

## **STUDENT ACTIVITIES OFF CAMPUS**

RRCC Campus Police do not monitor student safety or activities while off campus and do not provide off campus security except during commencement ceremonies. All crimes that occur while off campus should be reported to the local law enforcement agency within the jurisdiction where the crime occurred. Local law enforcement is not under any obligation to report off campus criminal incidents to RRCC.

## **SUBSTANCE ABUSE**

RRCC acknowledges the problem of substance abuse in our society and perceives this problem as a serious threat to employees and students. It is the intent of the College to establish and maintain a drug-free work place. It is the College's further intent to comply in every respect with the Drug-Free Schools and Communities Act Amendment of 1989 (Public Law 101-226) as presently constituted, to be amended in the future.

RRCC condemns the possession, use or distribution of illicit drugs and the abuse of alcohol and drugs, whether prescriptive or non-prescriptive. Any student or employee found to be in the possession of, using, selling, trading, or offering for sale, illicit drugs or alcohol on the College's property or as part of the College's activities, will be subject to disciplinary action as well as applicable local, state and federal laws.

All RRCC campuses have been designated "drug free", and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, consumption, or furnishing of alcohol and the possession, sale, manufacture or distribution of any controlled substance is illegal under local, state and federal laws, this includes marijuana. Such laws are strictly enforced by the local law enforcement agency having jurisdiction on the campus in cooperation with Campus Police Department. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment.

The complete text of the College's substance abuse policy including drug and alcohol abuse education programs can be found in the student handbook or the employee handbook. RRCC and the State of Colorado have substance abuse programs and counseling services available through the campus Human Resources Department, Student Behavioral Health, Student Health Clinic or through the Colorado State Employees Assistance Program. These departments may also be able to refer you to other qualified services or programs.

Information about Substance Abuse can be found at:

<https://www.streetdrugs.org/students-teachers-parents/>

<https://www.drugabuse.gov/related-topics/college-age-young-adults>

<http://www.dualdiagnosis.org/drug-addiction/college-drug-abuse/>

<https://www.collegedrinkingprevention.gov/>

<https://pubs.niaaa.nih.gov/publications/CollegeFactSheet/CollegeFactSheet.pdf>

## SEXUAL OFFENSES

Any violation of an individual's right to be free from forcible or non-forcible sexual offenses constitutes a serious breach of Colorado law in addition to being a violation of the College's Student Code of Conduct. A violation of this policy by students may result in sanctions, including expulsion from the College or termination from employment for faculty or staff. In addition, the perpetrator may face criminal prosecution under the laws of the State of Colorado. When any person becomes aware of a forcible or non-forcible sexual offense, they should immediately report it to; the appropriate law enforcement agency having jurisdiction over the offense, to the Campus Police office, to the College Vice President of Student Success, or to Human Resources.

Prompt reporting allows for the collection and preservation of crucial evidence and helps the victim in receiving medical assistance, counseling, and other support services as soon as possible.

RRCC will assist the victim with academic changes due to the situation when requested and are reasonably available. RRCC is obligated to comply with a request to the extent that is reasonable. RRCC will also assist the victim with notifying law enforcement, if the student requests the assistance.

### Sexual Harassment

Title IX of the Education Amendments of 1972 prohibits sexual discrimination in educational programs. RRCC, by virtue of its commitment to the ideals of dignity, equality and mutual respect for all people, deplores and condemns any form of sexual harassment. It is the intent of RRCC to comply with both the letter and the spirit of Title IX to make certain discrimination does not occur or adversely affect the educational environment. RRCC has a legitimate and compelling interest in prohibiting sexual harassment or sexual misconduct of any kind. Further, RRCC has an obligation to discipline those who do engage in sexually harassing or discriminatory behavior.

Sexual harassment in the educational environment may occur between students, administrators, faculty, staff, visitors or other persons on campus or at college-related activities. The range of unwelcome, unwanted and inappropriate behaviors may include, but is not limited to:

- Sexual flirtation or prolonged staring
- Sexually suggestive looks, gestures or sounds
- Sexually explicit statements, teasing, jokes or anecdotes
- Pressure for dates
- Sexually demeaning comments that imply that one sex is inferior to another
- Offensive physical contact, such as patting, pinching, cornering, standing close, or attempts to fondle
- Subtle pressure for sexual activity
- Requests for sex in exchange for grades or favors, or to avoid poor grades or discipline
- Consensual relationships between employees and students
- Other actions of a sexual nature which interfere with school performance or create an intimidation, hostile or offensive learning environment

Sexual harassment will not be tolerated at RRCC and it creates an unacceptable educational and working environment. Some situations may be resolved informally. Students who feel that they have been subjected to sexual harassment should contact either the Human Resources Department directly; complete a complaint form that can be found on the RRCC home page, <http://www.rrcc.edu/human-resources/sexual-misconduct> or by contact the Vice President of Student Success. Complaints involving RRCC employees should be filed directly with the Human Resources Office.

### Sexual Battery

Sexual battery refers to sexual contact without consent. The following behaviors are violations of college policy:

- A. Ignoring verbal pleas or non-verbal cues indicating unwillingness to either continue to participate in or begin to engage in sexual activity.
- B. Engaging in any sexual activity with someone who is physically helpless and/or unable to communicate his/her unwillingness to participate.
- C. Threatening to use or actually using physical force to coerce an unwilling party to submit to any sexual activity.



## SEX OFFENSE DEFINITIONS

### **Sex Offenses-Forcible**

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. This includes attempted crimes and does not require completion of the act.

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

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

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

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

### **Sex Offenses-Non-forcible**

Unlawful, non-forcible sexual intercourse.

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

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

**Source: Federal Register, April 29, 1994, Vol. 59, No. 82; Federal Register, November 1, 1999, Vol. 64, No. 210.**

## OTHER SEX OFFENSES

Sex offenses are not limited to rape and sexual assault. Other offensive and unacceptable sexual behavior may be in violation of the Student Conduct Code or criminal in nature. Exhibitionist, voyeurism (peeping Toms), and persons who make obscene or harassing phone calls are in violation of Student Conduct Code and may be in violation of local or state law.

## MISCONDUCT

As a condition of enrollment at RRCC, students are required to adhere to the Student Code of Conduct and college policy. In order to discourage student misconduct on campus or off site locations associated with a particular campus, the college has empowered the Vice President of Student Success Office to review cases of misconduct and institute appropriate disciplinary sanctions for violation(s). In addition, individuals violating the law may be prosecuted through the local or state judicial system when appropriate.

## INSTITUTIONAL DISCIPLINARY PROCEEDINGS AND SANCTIONS

The Clery Act requires that RRCC report the number of persons processed by arrest, citation, or summons for committing a reportable offense for violation of drug laws, liquor laws and weapons laws, even if they are released without a formal charge. In addition, the college must report by numbers “the referral of any person to any official {of the college} who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.” RRCC has assigned the Vice President of Student Success Office as the responsible area for investigating and determining when and if disciplinary action should be taken in regards to students referred to the college for violations of drug laws, liquor laws, and weapons laws. Specifically, the Clery Act requires that the college report the number of individuals who were referred to the college for violation of the specified laws.

A published list of violations of the Student Code of Conduct is printed in the RRCC Student Handbook and RRCC catalog. This list is also available from the Vice President of Student Success Office and the Campus Police Office.

In order for the college to investigate and, if justified, discipline the accused, the accuser must identify the accused and provide sufficient details of the event verbally or in writing to allow the college to make an evaluation of the facts.

The accuser and accused are entitled to the same opportunities to have others present during a disciplinary proceeding and shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense including the institution’s final determination and any sanction against the accused. The college will act responsibly to respect the privacy, welfare, and safety of the accuser.

The alleged perpetrator will be invited to the Vice President of Student Success Office to be informed of the nature of the allegation and to participate in a fact-finding interview. The accused will be treated with consideration and will be allowed to respond verbally or in writing to the allegation.

If the accused admits the facts as presented by the accuser, a determination will be made as to an appropriate disciplinary sanction.

If the accused denies the allegation and states in whole or in part that the allegation is untrue, further investigation will be made by the staff of the Vice President of Student Success Office. If the Vice President of Student Success Office determines it is more probable than not that the sex offense as reported by the accuser did take place, appropriate College sanctions will be imposed. Both the accused and the accuser will be informed of the right and process of review. If reviewed, the matter will then be heard by Vice President of Student Success, who will make a final determination as outlined in the Student Code of Conduct.

If it is not feasible for the College to come to a determination with respect to the allegation and the accuser pursues legal redress through the criminal or civil courts, the College determination may be deferred pending the outcome of the legal process. Depending upon the court action, the College may impose an appropriate sanction retroactive to the date of the sexual offense.

RRCC will disclose, upon written request, to the alleged victim of a crime of violence or sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such a 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 these purposes.

Staff and faculty who violate federal, state or local laws are subject to criminal charges. These employees may also be subject to penalties from the College that range from dismissal or suspension, to official reprimand, and/or counseling.

Students who violate federal, state or local laws are subject to criminal charges. These students may also be subject to penalties from the College as set forth in the Student Code of Conduct. The ranges of sanctions for violations under the Student Code of Conduct include but are not limited to, one or more of the following: suspension or expulsion from the College, alteration of their class schedule, disciplinary probation, or loss of privileges.

## CAMPUS SEXUAL ASSAULT VICTIMS' BILL OF RIGHTS

- **Accuser and accused must have the same opportunity to have others present.**
- **Both parties shall be informed of the outcome of any disciplinary proceeding.**
- **Survivors shall be informed of their options to notify law enforcement.**
- **Survivors shall be notified of counseling services.**
- **Survivors shall be notified of options for changing academic and living situations.**

The United States Congress enacted the "Campus Sexual Assault Victims' Bill of Rights" in 1992 as a part of the Higher Education Amendments of 1992 (Public Law: 102-325, section 486(c)). It was signed into law by President George Bush in July of 1992. The legislation which was originally introduced in May of 1991 by Congressman Jim Ramstad (a Minnesota Republican) has also been referred to as the "Ramstad Act" although this is not the official title.

This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights. It also requires the school to notify victims of their option to report their assault to the proper law enforcement authorities. Institutions found to have violated this law can be fined up to \$35,000 or lose their eligibility to participate in federal student aid programs. Complaints about schools that have failed to comply with this law should be made with the U.S. Department of Education.

The "Campus Sexual Assault Victims' Bill of Rights" exists as part of the Campus Police reporting requirements, commonly known as the Jeanne Clery Act, of the federal law that establishes all student aid programs, the Higher Education Act of 1965. It has not been amended since its enactment, except for a citation change to accommodate 1998 amendments to other requirements found in the Campus Police section.

Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused; and

(vii) Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offense.

## SEX OFFENDER REGISTRATION

RRCC is required by federal Campus Sex Crime Prevention Act to provide the college community with a notification regarding where information can be obtained regarding registered sex crime offenders who are enrolled or employed at RRCC. RRCC is not a sex offender registration site under Colorado Revised Statutes. In Colorado, convicted sex offenders must register with the Colorado Bureau of Investigation (CBI) and are listed on the Colorado Bureau of Investigations (CBI) sex offender website. You can link to this information, which appears on CBI's website, by clicking [here](#). Other resources; [Registered Sex Offenders in Colorado](#), [Registered Sex Offenders in Golden, CO](#), [Registered Sex Offenders in Lakewood, CO](#), [Registered Sex Offenders in Arvada, CO](#), [Family Watchdog FAQ](#), [CBI Convicted Sex Offender Map](#), [Sex Offender Tracking and Registration \(SOTAR\)](#), [National Registry for Missing and Exploited Children](#).

RRCC is not responsible for the accuracy of the information provided by these websites. The information in the sex offender registry is provided only for the purpose of protecting the public. It shall not be used for the purpose of harassing or intimidating anyone.

## VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 POLICY STATEMENT

Red Rocks Community College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Red Rocks Community College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a College

official. In this context, Red Rocks Community College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the College community.

Red Rocks Community College is a part of the Colorado Community College System (CCCS) and is governed by the State Board for Community Colleges and Occupational Education (SBCCOE). For a complete copy of the SBCCOE Board Policies (BP) governing sexual misconduct, visit <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>. BP 3-120, Affirmative Action/Anti-Discrimination, prohibits employee sexual misconduct and BP 4-120, Prohibition of Discrimination or Harassment, prohibits student sexual misconduct.

Additionally, the Board has delegated procedural authority to the Colorado Community College System President. As a result, the pertinent CCCS System President's Procedures (SP) on Sexual Misconduct are found at: <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>. For CCCS employees, authorized volunteers, guests and visitors, SP 3-120a applies and for students, SP 4-120a applies.

All Sexual Misconduct complaints are investigated pursuant to System President's Procedures, Civil Rights Grievance and Investigation Process. If the respondent to a complaint is a CCCS employee, authorized volunteer(s), guest(s), or visitor(s), SP 3-50b will apply. If the respondent is a student, SP 4-31a applies. The procedures can be located at <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>.

## A. **Definitions**

**Consent, Unlawful Sexual Behavior**-Colorado Revised Statutes (C.R.S.) 18-3-401, means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent. Submission under the influence of fear shall not constitute consent.

**Sexual Assault**-C.R.S. 18-3-402, Colorado law defines sexual assault as any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

- The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
- The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
- The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
- At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
- At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
- The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
- The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
- The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

**Sexual Assault on a Child**-C.R.S. 18-3-405, means any actor who knowingly subjects another not his or her spouse to any sexual contact commits sexual assault on a child if the victim is less than fifteen years of age and the actor is at least four years older than the victim.

**Domestic Violence**-C.R.S. 18-6-800.3 means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic Violence also includes any other crime against a person, or against property, including an animal or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

**Dating Violence**-*There is no Colorado state law on dating violence; therefore, the college abides by the definition used in the Violence Against Women Reauthorization Act (VAWA) of 2013.*

**Dating Violence** means 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 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.

**Stalking-C.R.S. 18-3-602** means a person commits stalking if directly, or indirectly through another person, the person knowingly:

- Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
- Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
- Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

Additional definitions as it relates to "Stalking" under Colorado law:

- Conduct "in connection with" a credible threat means acts that further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat.
- "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his or her immediate family or of someone with whom the person has or has had a continuing relationship. The threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear.
- "Immediate family" includes the person's spouse and the person's parent, grandparent, sibling, or child.
- "Repeated" or "repeatedly" means on more than one occasion.

## **B. Education and Prevention Programs**

The College engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of Colorado;
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander.
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- f. Provides an overview of information contained in the Annual Security Report (ASR) in compliance with the Clery Act.

RRCC offers educational programs to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions.

RRCC also offers educational programming and informational awareness on risk reduction that strives to empower victims,

how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty, often taking the form of campaigns, emails, guest speakers and events such as presentation from law enforcement sexual assault teams, presentations from local sexual assault and domestic violence advocacy groups, presentations from Campus Police's domestic violence program, presentations from Student Life's sexual assault awareness presentations and informational programming through brochures, displays and articles in various College publications.

The College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students and new staff by participating in and presenting information and materials during new employee orientation and new student orientation.

The College offered the following primary prevention and ongoing awareness programs for all new and ongoing employees in 2014/2015:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Complied with Section B a-e?</u>	<u>Which Prohibited Behavior Covered?</u>
Preventing Sexual Harassment	November 11, 2014 December 11, 2014 March 3, 2015 April 1, 2015	Lakewood Campus	Yes	Sexual Misconduct as defined by CCCS Board Policy
Title IX Awareness and Violence Prevention for Faculty and Staff	Ongoing	Online	Yes	Sexual Misconduct as defined by CCCS Board Policy
Unlawful Harassment Prevention	Ongoing	Online	Yes	Sexual Misconduct as defined by CCCS Board Policy

The College offered the following primary prevention and ongoing awareness programs for all new and ongoing employees in 2015/2016:

Preventing Discrimination and Sexual Violence Refresher: Title IX, VAWA & Clery for Faculty and Staff	Ongoing	Online	Yes	Sexual Misconduct as defined by CCCS Board Policy
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The College offered the following primary prevention and ongoing awareness programs for all students in 2015:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Complied with Section B a-e?</u>	<u>Which Prohibited Behavior Covered?</u>
Healthy Relationships Slideshow	2/12/2015	Lakewood Campus	a-e	SA, DoV, DaV, and S
Katie Koestner Lecture	2/16/2015	Lakewood Campus	a,b,d,e	SA, DoV, DaV, and S
The Blue Bench Program	4/30/2015	Lakewood Campus	a-e	a-e

Take Back the Night	4/30/2015	Lakewood Campus	a,b,d	a,b,d
Clothesline Project	10/26/2015	Lakewood Campus	a-e	SA, DoV, DaV, and S
Clothesline Project	10/27/2015	Lakewood Campus	a-e	SA, DoV, DaV, and S
Clothesline Project	10/28/2015	Lakewood Campus	a-e	SA, DoV, DaV, and S
Take Back the Night (Guest Speaker Katie Koestner)	February, 2015	Lakewood Campus	B a-e	Bystander Prevention, Dating Violence, and Sexual Misconduct as defined by CCCS Board Policy.

The College offered the following primary prevention and ongoing awareness programs for all students in 2016:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Complied with Section B a-e?</u>	<u>Which Prohibited Behavior Covered?</u>
Breaking the Stigma	11/28/2016	Lakewood Campus	a	DoV and DaV
Red Flag Awareness Day	11/29/2016	Lakewood Campus	a, b	DoV, DaV, and SA
A Male Survivor's Story	11/29/2016	Lakewood Campus	b	DoV
By-Stander Training	11/30/2016	Lakewood Campus	b	DoV
What is a Healthy Relationship presentation by RRCC psychology faculty	12/1/2016	Lakewood, Campus	a, b, e	DoV, DaV, and S

❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

**Resources for victims of Domestic Violence. Dating Violence. Sexual Assault & Stalking  
On-Campus**

<b>Department</b>	<b>Location</b>	<b>Phone</b>
<b>Advising, Transfer and Tutoring</b>	<b>Lakewood Campus Arvada Health Sciences Campus</b>	<b>303-914-6255 303-914-6010</b>
<b>Inclusion and Diversity</b>	<b>Lakewood Campus Arvada Health Sciences Campus</b>	<b>303-914-6309 303-914-6309</b>
<b>Student Behavioral Health</b>	<b>Lakewood Campus Arvada Health Sciences Campus</b>	<b>303-914-6316 303-914-6316</b>
<b>Student Health Clinic</b>	<b>Lakewood Campus Arvada Health Sciences Campus</b>	<b>303-914-6655 303-914-6655</b>
<b>Campus Police</b>	<b>Lakewood Campus Arvada Health Sciences Campus</b>	<b>303-914-6394 303-914-6394</b>
<b>Student Life</b>	<b>Lakewood Campus Arvada Health Sciences Campus</b>	<b>303-914-6547 303-914-6547</b>

### C. Procedures for Reporting a Complaint

RRCC has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of medical, counseling and support services, and additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Students and employees should contact the College's Title IX Coordinator, Arnie Oudenhoven, at office phone number 303-914- 6298, email to [arnie.oudenhoven@rrcc.edu](mailto:arnie.oudenhoven@rrcc.edu). If you are a student, Mr. Oudenhoven will work with the College Vice President of Student Success.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at:

<u>Medical Facility</u>	<u>Phone #</u>	<u>Service Area</u>	<u>Type</u>	<u>Hours</u>
St. Anthony's Hospital	720-321-4103 720-320-0000	Denver Metro	S.A.N.E. (Sexual Assault Nurse Examiner)	24/7
Denver Health Medical Center	303-436-6000	Denver, Adams, Arapahoe, Jefferson Counties	S.A.N.E. (Sexual Assault Nurse Examiner)	24/7
St. Anthony's North Hospital	720-627-0000	Adams, Broomfield, Boulder, Denver, Jefferson Counties	S.A.N.E	24/7

In Colorado, evidence may be collected even if you choose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to college hearing boards/investigators or police. Although the college strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The College's Campus Police Department at each campus or the Title IX Coordinator will assist any victim with notifying local police if they so desire. The law enforcement agency with jurisdiction depends on the location where the assault occurred. Listed below are the police departments and their contact information for cities that the College has a campus in. If you do not know where the assault occurred, you can contact any law enforcement agency for assistance.

<u>Police Department</u>	<u>Phone #</u>	<u>Address</u>	<u>Web address</u>
Lakewood Police Department	303-987-7111	445 S. Allison Pkwy. Lakewood, CO 80226	<a href="http://www.lakewood.org/police/">http://www.lakewood.org/police/</a>
Arvada Public Safety Dept.	720-898-6900	8101 Ralston Rd. Arvada, CO 80001	<a href="http://arvada.org/city-hall/departments/public-safety-department">http://arvada.org/city-hall/departments/public-safety-department</a>

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator Arnie Oudenhoven, at her office phone number 303-914-6298; by email to [Arnie.oudenhoven@rrcc.edu](mailto:Arnie.oudenhoven@rrcc.edu); or at his office in the main building of the Lakewood Campus.

The Title IX Coordinator is ultimately responsible to assure in all cases that the behavior is brought to an end, that Red Rocks Community College acts to reasonably prevent its recurrence and the effects on the victim and the community is remedied. The Coordinator is also responsible to assure that training is conducted annually for all advocates, investigators, hearing officers, panelists and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual



assault, stalking, sexual harassment, retaliation and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses.

The College will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Police or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, the below are the procedures that the College will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>6. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> <li>8. Institution will provide written instructions on how to apply for Protective Order</li> <li>9. Institution will provide a copy of the Sexual Misconduct and Civil Rights Grievance and Investigation Procedures to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>	<p>Sexual assault cases are referred to the Title IX Coordinator and are adjudicated by the institution's Sexual Misconduct and Civil Rights Grievance and Investigation Procedures using the <i>preponderance of the evidence</i> standard.</p>

<p><b>Stalking</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>	<p>Stalking cases are referred to the Vice President of Student Success and adjudicated using the <i>preponderance of the evidence</i> standard. If the stalking is sexually based, it may fall under the institution’s Sexual Misconduct Procedure and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Sexual Misconduct and Civil Rights Grievance and Investigation Procedures using the <i>preponderance of the evidence</i> standard.</p>
<p><b>Dating Violence</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>	<p>Dating Violence cases are referred to the Vice President of Student Success and adjudicated using the <i>preponderance of the evidence</i> standard. If the dating violence incident is sexually based, it may fall under the institution’s Sexual Misconduct Procedure and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Sexual Misconduct and Civil Rights Grievance and Investigation Procedures using the <i>preponderance of the evidence</i> standard.</p>
<p><b>Domestic Violence</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>	<p>Domestic Violence Cases are referred to the Vice President of Student Success and adjudicated using the <i>preponderance of the evidence</i> standard. If the act of domestic violence is sexually based, it may fall under the institution’s Sexual Misconduct Procedure and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Sexual Misconduct and Civil Rights Grievance and Investigation Procedures using the <i>preponderance of the evidence</i> standard.</p>

#### **D. Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights. In Colorado, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

##### **Rights Afforded to Victims-C.R.S. 24-4.1-302.5**

In order to preserve and protect a victim's rights to justice and due process, each victim of a crime shall have the following rights:

- The right to be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process;
- The right to be informed of, be present or not present, and without submitting a written request for notification, for all critical stages of the criminal justice process as specified in state statute (C.R.S. 24-4.1-302(2));
- The right to be informed of the filing of a petition by a perpetrator of the offense to terminate sex offender registration pursuant to section 16-22-113(2) (c), C.R.S.;
- The right to be informed, upon request by the victim, when a person who is accused or convicted of a crime against the victim is released or discharged from county jail; and
- The right to be informed, upon written request by the victim, when a person who is accused or convicted of a crime against the victim is released or discharged from custody other than county jail, is paroled, escapes from a secure or non-secure correctional facility or program, or absconds from probation or parole.

Further, Red Rocks Community College complies with Colorado law in recognizing orders of protection and will assist any person who requests information on how to obtain a protection order. A resource brochure is available at each Campus Police office. Any person who obtains an order of protection from Colorado or any reciprocal state should provide a copy to Campus Police and the Office of the Title IX Coordinator. A complainant may then meet with Campus Police to develop a Safety Action Plan, which is a plan for Campus Police 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: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.).

Protection from abuse orders may be available through an Emergency Protection Order, C.R.S. 13-14-103. Each Campus Police office has information of how to obtain a Protection Order displayed outside the office.

Any county or district court shall have the authority to enter an emergency protection order, which may include:

- Restraining a party from contacting, harassing, injuring, intimidating, threatening, molesting, touching, stalking, sexually assaulting or abusing any other party, a minor child of either of the parties, or a minor child who is in danger in the reasonably foreseeable future of being a victim of an unlawful sexual offense or domestic abuse;
- Excluding a party from the family home or from the home of another party upon a showing that physical or emotional harm would otherwise result;
- Awarding temporary care and control of any minor child of a party involved;
- Enjoining an individual from contacting a minor child at school, at work, or wherever he or she may be found;
- Restraining a party from molesting, injuring, killing, taking, transferring, encumbering, concealing, disposing of or threatening harm to an animal owned, possessed, leased, kept, or held by any other party, a minor child of either of the parties, or an elderly or at-risk adult; or
- Specifying arrangements for possession and care of an animal owned, possessed, leased, kept, or held by any other party, a minor child of either of the parties, or an elderly or at-risk adult.

In cases involving a minor child, the juvenile court and the district court shall have the authority to issue emergency protection orders to prevent an unlawful sexual offense, or to prevent domestic abuse, when requested by the local law enforcement agency, the county department of social services, or a responsible person who asserts, in a verified petition supported by affidavit, that there are reasonable grounds to believe that a minor child is in danger in the reasonably foreseeable future of being the victim of an unlawful sexual offense or domestic abuse, based upon an allegation of a recent actual unlawful sexual offense or domestic abuse or threat of the same. Any emergency protection order issued shall be on a standardized form prescribed by the judicial department and a copy shall be provided to the protected person.

A verbal emergency protection order may be issued only if the issuing judge finds that an imminent danger in close proximity exists to the life or health of one or more persons or that a danger exists to the life or health of the minor child in the reasonably foreseeable future.

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To the extent of the victim's cooperation and consent, college offices, including Title IX, Vice President of Student

Success and Campus Police will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement by the Title IX Coordinator and the Vice President of Student Success. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The College does not publish the name of crime victims nor house identifiable information regarding victims in the Campus Police Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request by contacting the Vice President of Student Success.

**On-campus resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking**

<b>Department</b>	<b>Location</b>	<b>Phone</b>
<b>Title IX Coordinator</b>	<b>Red Rocks Community College</b>	<b>303-914-6570</b>
<b>Campus Police Department</b>	<b>Lakewood Campus</b>	<b>303-914-6394</b>
<b>Campus Police Department</b>	<b>Arvada Health Sciences Campus</b>	<b>303-914-6394</b>

**Community Resources: Lakewood Campus**

**[If you are in a crisis or need immediate help dial 911](#)**

<b><u>Agency</u></b>	<b><u>Address</u></b>	<b><u>Phone-Non Emergent</u></b>
Lakewood Police Department	445 S. Allison Pkwy, Lakewood, CO 80226	303-987-7111
St. Anthony's Hospital	11600 W. 2 <sup>nd</sup> Place, Lakewood, CO 80228	720-321-0000
Battered Women's Shelter	Jefferson County Human Services, 900 Jefferson County Pkwy, Golden, CO 80401	303-271-1388
CO Coalition Against Sexual Assault (CCASA)	1120 Lincoln Street, Suite 700 Denver, CO 80203 Not a 24-hour provider	303-839-9999
Rape Crisis Center	24-hour Hotline	800-656-4673
Office of Inclusion and Diversity - LGBTQ	Red Rocks Community College 13300 W, 6 <sup>th</sup> Avenue Lakewood, CO 80228	303-914-6309
LGBTQ Alliance- One Colorado	1245 E. Colfax Ave. Suite 204, Denver	303-396-6172
Jefferson Center for Mental Health	<a href="http://www.jcmh.org/contact/">http://www.jcmh.org/contact/</a>	800-201-5264 303-425-0300 TDD 303-432-5540
Domestic Violence Protective Orders file with the County Court	Jefferson County Court 100 Jefferson County Pkwy Golden, CO 80419	
<b>To file for a Protection Order or for court information:</b>		
<b>Jefferson County Courthouse</b>	100 Jefferson County Pkwy Golden, CO 80419	720-772-2500

**Community Resources: Health Sciences - Arvada Campus**

**If you are in a crisis or need immediate help dial 911**

<b><u>Agency</u></b>	<b><u>Address</u></b>	<b><u>Phone-Non Emergent</u></b>
Arvada Police Department	8101 Ralston Rd, Arvada, CO 80001	720-898-6900
St. Anthony's Hospital - North	2551 W. 84 <sup>th</sup> Avenue, Westminster, CO 80031	303-426-2151
Battered Women's Shelter	Jefferson County Human Services, 900 Jefferson County Pkwy, Golden, CO 80401	303-271-1388
Office of Inclusion and Diversity - LGBTQ	Red Rocks Community College 13300 W, 6th Avenue Lakewood, CO 80228	303-914-6309
Jefferson Center for Mental Health	<a href="http://www.jcmh.org/contact/">http://www.jcmh.org/contact/</a>	800-201-5264 303-425-0300 TDD 303-432-5540
CO Coalition Against Sexual Assault (CCASA)	1120 Lincoln Street, Suite 700 Denver, CO 80203 Not a 24-hour provider	303-839-9999
Rape Crisis Center	24 Hour Service	800-656-4673
LGBTQ Alliance – One Colorado	1245 E. Colfax Avenue, Suite 204, Denver, CO	303-396-6172
Domestic Violence Protective Orders file with the County Court	Jefferson County Court 100 Jefferson County Pkwy Golden, CO 80419	
<b>To file for a Protection Order or for court information: Jefferson County Courthouse</b>	100 Jefferson County Pkwy Golden, CO 80419	720-772-2500

## Online resources for information about Protection Orders

[Colorado Court Locator by County](#)

[Colorado Courts - Forms to request a Protection Order](#)

[Colorado Legal Services – Info for Protection Orders](#)

## Online State and National Resources:

**[If you are in a crisis or need immediate help dial 911](#)**

[www.VictimsofCrime.org](http://www.VictimsofCrime.org) - The Stalking Resource Center, National Center for Victims of Violent Crime

<http://ccadv.org/> - Colorado Coalition Against Domestic Violence (interactive county selection map)

<http://www.ccasa.org/> - Colorado Coalition Against Sexual Assault

<http://solcolorado.org> – Survivors Organizing for Liberation, Building Safety & Justice for LGBTQQ Communities

<http://cogsanetwork.org/> - Colorado Gay Straight Alliance Network

<http://www.bestcolleges.com/resources/lgbtq-student-guide/> - College Guide for LGBTQ Students

<http://www.rainn.org/> – Rape, Abuse and Incest National Network

<http://www.justice.gov/ovw/sexual-assault> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> - Department of Education, Office of Civil Rights

## Other online resources to help victims of sexual assault:

**[If you are in a crisis or need immediate help dial 911](#)**

<http://www.nsvrc.org/> - National Sexual Violence Resource Center

<http://thebluebench.org/> - Blue Bench Rape Awareness and Assistance Program

<http://www.wingsfound.org/colorado-resources/> - Wings Rape Assistance and Awareness Program

## Other resources to help victims of domestic violence, dating violence and stalking:

**[If you are in a crisis or need immediate help dial 911](#)**

**1-800-799-7233** - National Domestic Violence Hotline

**1-800-787-3224** (TTY) - National Domestic Violence Hotline

**1-303-839-5510** - Domestic Violence Initiative for Women with Disabilities

## E. Adjudication of Violations

Whether or not criminal charges are filed, the College or a person may file a complaint under the Civil Rights Grievance and Investigation Process. If the respondent to a complaint is a CCCS employee, authorized volunteer(s), guest(s), or visitor(s), SP 3-50b will apply. If the respondent is a student, SP 4-31a applies. The procedures can be located at <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>. Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Police will automatically be referred to the Title IX Coordinator for investigation regardless if the complainant chooses to pursue criminal charges.

The college's civil rights grievance and investigation process, as well as the discipline process, will provide prompt, fair, and impartial investigation and resolution that is:

- Completed within reasonably prompt timeframes which, pursuant to our procedure, is sixty (60) days. If the college finds it necessary to extend this timeline, they may do so for good cause. The college will provide written notice to the accuser and the accused of the delay and the reason for the delay;
- The processes shall be conducted in a manner that is transparent to the accuser and accused;
- The processes allow for timely notice of meetings at which the accuser or accused, or both, may be present;
- Provides timely access to the accuser, the accused, and appropriate officials to any information that will be used after the fact-finding investigation but during the disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

All college officials involved with the investigation and discipline process are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking. These employees are taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

After the civil rights grievance and investigation process is concluded, the findings are shared with the disciplinary authority to begin the college's discipline process.

If the accused is an employee, sanction decisions are outlined in:

- For faculty, disciplinary action will be in compliance with BP 3-20: <https://www.cccs.edu/bp-3-20-due-process-for-faculty>
- For classified employees, disciplinary action will be taken pursuant to the State Personnel Rules and Regulations: <https://www.colorado.gov/spb/rules-0>
- For administrative and professional/technical employees, there is no specific procedure outlined on discipline; therefore, the appointing authority will conduct a discipline process as outlined above.
- For authorized volunteers, guests and visitors, there is no specific applicable procedure; therefore, the appointing authority will conduct a discipline process as outlined above.

If the accused is a student, SP 4-30, Student Disciplinary Procedure, applies. The procedure can be located at <https://www.cccs.edu/about-cccs/state-board/policies-procedures/>.

The discipline process, in all cases, provides that:

1. The accuser and the accused each have the opportunity to meet with the CSSO, for students, or the Appointing Authority/Disciplinary Authority, for CCCS employees, authorized volunteers, guests and visitors;
2. Attend a hearing before a properly trained hearing panel or person;
3. The accuser and the accused each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing; however, the complainant(s) or respondent(s) cannot be represented by an attorney or law student (legal counsel) unless civil or criminal actions concerning the particular incident in question are pending. Under those limited exceptions, the legal counsel's role shall be advisory only. The party represented by legal counsel must notify the investigator(s) forty-eight (48) hours in advance of any scheduled meeting so that the investigator(s) can notify the other party.
4. An employee and student conduct decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "Is it more likely than not that the accused violated SBCCOE Policy or CCCS or College Procedure?"
5. The accuser and the accused will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final and shall be given the rationale for the discipline decision.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the College's ability to respond to the complaint may be limited.

### **Confidentiality**

The college will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law. Victims' names will not be listed on the Daily Crime Log.



## Sanctions and Protective Measures

In all cases, investigations that result in a finding of more likely than not that a violation(s) has occurred may lead to the initiation of disciplinary procedures against the accused individual. Examples of college sanctions may include, but are not limited to:

- For students-warning, probation, fines, restitution, denial of privileges, assignment to perform services for the benefit of the college or community, suspension, expulsion, or "No trespass" directive (PNG).
- For CCCS employees-warning, written warning, corrective actions, probation, restitution, denial of privileges, suspension, demotion, termination of employment, or "No trespass" directive (PNG).
- For authorized volunteers, guest(s), or visitors-warning, writing warning, denial of privileges, dismissal from college, or "No trespass" directive (PNG).

Additionally, 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 of the following actions: development of a safety plan with the Vice President of Student Success and Campus Police which could include law enforcement, safety escorts to and from classes, alternative parking, alternative modes of transportation and conditional on site law enforcement presence. For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: an order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Red Rocks Community College.

## Sex Offender Registration

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the College is providing a link to the Colorado State Sex Offender Registry. All sex offenders are required to register in the state of Colorado and to provide notice of each institution of higher education in Colorado at which the person is employed, carries a vocation or is a student.

In Colorado, convicted sex offenders must register with the Colorado Bureau of Investigation (CBI) and are listed on the Colorado Bureau of Investigations (CBI) sex offender website. You can link to this information, which appears on CBI's website, by clicking [here](#).

## Prohibition on Retaliation

An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in this policy.

## CRIME DEFINITIONS

Per the *Clery Act*, crimes are classified based on the Federal Bureau of Investigation's (FBI's) *Uniform Crime Reporting Handbook (UCR)*. For sex offenses only, definitions from the FBI's *National Incident-Based Reporting System (NIBRS)* edition of the *UCR* are used. Hate crimes are classified according to the FBI's *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection*. Although the law states that institutions must use the *UCR* for defining and classifying crimes, it doesn't require *Clery Act* crime reporting to meet *all UCR* standards.

The following definitions are to be used for reporting the crimes listed in 34 CFR sec. 668.46 (previously 668.47) in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the *Uniform Crime Reporting Handbook*. The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting

Handbook. Larceny and Theft have the same meaning under UCR. Burglary and Larceny do not have the same meaning under UCR. See the definition for Burglary listed below.

**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.

**Criminal Homicide-Manslaughter by Negligence**

The killing of another person through gross negligence.

**Criminal Homicide-Murder and Non-negligent Manslaughter**

The willful (non-negligent) killing of one human being by another.

**Robbery**

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

**Aggravated Assault**

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

**Burglary**

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny (theft) or felony breaking and entering with intent to commit a larceny (theft); housebreaking; safecracking; and all attempts to commit any of the aforementioned. Larceny and Theft have the same meaning under UCR.

**Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joyriding.)

**Weapon Law Violations**

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

**Drug Abuse Violations**

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

**Liquor Law Violations**

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

Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

**Sex Offenses-Forcible**

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. This includes attempted crimes and does not require completion of the act.

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

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

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

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

### **Sex Offenses-Non-forcible**

Unlawful, non-forcible sexual intercourse.

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

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

**Source: Federal Register, April 29, 1994, Vol. 59, No. 82; Federal Register, November 1, 1999, Vol. 64, No. 210.**

### **Domestic Violence- (42 USC § 13925)**

- The term "domestic violence" includes felony or misdemeanor crimes 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or 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.

### **Dating Violence- (42 USC § 13925(a)(8))**

The term "dating violence" means violence committed by a person-

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors:
  - the length of the relationship;
  - the type of relationship;
  - the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

### **Stalking (42 USC § 13925(a)(10))**

The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress
- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

Recording-When recording reports of “stalking” that include activities in more than one calendar year, an institution must record a crime statistic only for the calendar year in which the course of conduct was first reported to a local police agency or to a Campus Police authority. If the course of conduct continues in a subsequent year, it must be recorded for that year.

- An institution must record each report of stalking as occurring at only the first location within the institution’s Clery Geography in which: 1.) A perpetrator engaged in the stalking course of conduct; or 2.) A victim first became aware of the stalking.
- A report of stalking must be counted as a new and distinct crime and is not associated with a previous report of stalking when the stalking behavior continues after an official intervention including, but not limited to, an institutional disciplinary action or the issuance of a no-contact order,
- Statistic for stalking may not include the identification of the victim or the person accused.

## **HATE CRIMES**

A hate crime is a crime which manifests evidence that the offender was motivated by bias. The crimes listed in this report and any other crimes become hate crimes when bodily injury to any person occurs and when the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, gender identity or national origin of the victim. Hate crimes may be transmitted by electronic mail, electronic media, in person, in writing, through graffiti and other means.

These are crimes may be reported to any Campus Police authority, Campus Police or a local police agency and then reported in the Campus Crime Statistics.

## **CAMPUS CRIME STATISTICS**

The College’s Campus Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Police Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our campuses and a request is made annually to receive crime statistic information from the jurisdiction in which the campus, center or non-campus buildings resides. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to RRCC Department of Campus Police, designated campus officials who are designated and trained as Campus Police Authorities. Hate crimes and crimes by category of prejudice are reported separately. Arrest and disciplinary sanctions for liquor law violations, drug law violations or weapons law violations are also recorded in a separate category.

These crime statistics are listed by the specific campus location as required under the Clery Act and are for the past 3 calendar years. Crime statistics are published in the online semester class schedule, the online catalog and on the RRCC website. These crime statistics are also available on the RRCC portal for current students and staff. A print copy may be requested at the Campus Police Office or the Vice-President of Student Success Office.

## **EMERGENCY NOTIFICATION**

Red Rocks Community College uses several Emergency Notification Systems (ENS) based on the confirmation of a significant emergency or dangerous situation. Campus Police will make the decision to notify the campus based upon the totality of the circumstances reported to or observed by the Campus Police Officer at the time of the emergency. Campus Police and the Vice President of Administrative Services are the primary departments tasked with sending out emergency notifications.

The College utilizes two main Emergency Notification Systems at both campuses that are on the RRCC computer network. These systems are; IPcelerate voice over network phone announcements and Blackboard Connect Ed mass communication system.

A Blackboard Connect Ed message may be sent out to those opted into the system. In some emergencies, the Campus Police Department may send out an email, or make direct phone notification to a campus. Each semester, Campus Police and the Vice President of Administrative Services conduct a full system test during business hours of these systems to ensure that our campus community knows what they sound like or look like in a live situation. IPcelerate is also used primarily at the Arvada Campus during recertification or training with the Campus Police staff. The Vice President of Administrative Services routinely uses Blackboard Connect Ed for phone (including text message) and email notification for students. Blackboard Connect Ed text messaging is tested each semester.

The Blackboard Connect Ed mass communication system is used to contact faculty, staff and students by phone, cell phone, and email and text message with emergency and non-emergency information at both campuses. The Blackboard Connect Ed system is a voluntary service provided by the college that requires a participant to sign up or “opt in”. In an emergency situation, a message is sent out by the Vice President of Administrative Services, Vice President of Student Success, Vice President of Instruction, Campus Police Chief or College President. The Vice President of Administrative Services may be contacted by the Campus Police Chief or their representative requesting a message be sent out after the Chief has been notified or confirmed there is an emergency. The Vice President of Administrative Services also may send out a message after they receive notification or confirm there is an emergency or may send out a spontaneous message depending on the situation and the information available to them. This message would include an emergency text alert and follow-up text alerts may be sent out as the Vice President of Student Success, receives more information about the emergency situation.

The Campus Police Office and the College administration may send out an emergency college or campus wide email, use face to face communication or utilize a bull horn as backup methods for emergency communication.

In an emergency situation, a Campus Police Officer may receive information from someone on the campus that witnessed or heard that an emergency situation has occurred on the campus and the officer will determine what method or multiple methods of emergency notification(s) Campus Police will use to inform the campus community of the situation. The Campus Police Officer will monitor any emergency notification(s) for clarity and usefulness and send out additional messages as needed. Follow-up messages will be sent out with updated information as Campus Police, the Dean of Student Services or campus administration receives the information.

Campus Police will send out emergency IPcelerate notifications and will request an emergency Blackboard Connect Ed message be sent by the Vice President of Administrative Services, Vice President of Student Success, Vice President of Instruction, Campus Police Chief or College President. All these Emergency Notification Systems can be operated remotely from another campus by trained staff.

**RRCC will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise the efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.**

The College uses redundant systems for better information broadcast and in case one of the systems fails. If a system is found to have failed, the oversight department of that system, either the Vice President of Administrative Services or Campus Police Department, will make an immediate call to the appropriate vendor for repairs. The oversight department will also inform the Campus Police Department and College administrators of the problem and give an estimated timeline when the system will be repaired and fully functioning.

## **TIMELY WARNING NOTICE**

RRCC will issue a timely notification to the College community of specific Clery Act Crimes; RRCC may also issue timely warnings for non-Clery Act crimes committed on college properties or within the community, for an ongoing threat or other emergency situation which has been reported to the Campus Police Office, local police or a Campus Police authority. The Campus Police Department will consult with the College President, Vice President of Administrative Services, Vice President of Student Success, or Vice President of Instruction, if time allows, before issuing a timely warning. The method for dissemination of information to the College community may include one or more of the following notifications; IPcelerate voice over phone, Blackboard Connect text, general email or posting of pertinent information. The primary concern of the College administration is to ensure that members of the campus community are made aware of these crimes or situations as quickly as possible so they may adjust their work patterns and habits to incorporate a higher degree of awareness of personal safety within their lives. Information provided will include the nature, date, time, known information and general location of occurrence of each reported crime. A victim’s name will not be used in a Timely Warning.

If there is clear and convincing evidence that the release of any required information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until that damage is no longer likely to occur from the release of such information.

If an emergency notification has been issued, a Timely Warning may not be required to be sent out for the same event.

## **EVACUATION AND EMERGENCY RESPONSE**

Red Rocks Community College has developed Emergency Procedures Guides which are posted in all of the classrooms, offices, and conference and community rooms on both campuses. The college and Campus Police distribute additional emergency response information through email, brochures, single topic postings, flyers and through the Intranet.

These Emergency Procedures Guides give basic response information for various situations such as; how to contact the local 911 communication center, an explosion/chemical spill, health problem or personal injury, building evacuation, power failure, threats to person/property and security, bomb threat, fire situations, snow/tornado/flood/earthquake and active shooter situations. Additionally, the Campus Police Department monitors adverse or hazardous situations in the surrounding community and will evaluate each incident to determine the appropriate response required and what notification system to use to alert the campus community. The college also monitors health issues within the college and the local community to determine if course of action is needed and what notifications to use to advise the campus community.

The Emergency Procedures Guides have specific information on how and when to evacuate a building. The evacuation procedure is tested at least twice per year during announced or unannounced building evacuation drills at both campuses. In addition, the local fire department having jurisdiction over a campus may monitor or initiate the fire evacuation drill.

Campus Police Officers duty cell phones and email addresses are signed up for local emergency communications alerts, the National Weather Service and area news media outlets to receive emergency alerts to stay informed of local, state and national events that may impact the college or their campus. Each campus, center and off campus site will receive reverse 911 notifications from their local communication center whenever an outside emergency response authority deems it necessary in an emergency situation.

Once an emergency is identified on campus, the Campus Police Department will be the initial response authority until relieved of this duty by a local or state response agency or until a Unified Command structure is established under an Incident Command System. Campus Police will stay involved in the response and will update the college administration with current information. The College President or a College Vice President may assemble the campus Crisis Response Team (CRT) for consultation and crisis management. Once the emergency response is concluded, the responding agency will relinquish command of the situation back to the Department of Campus Police.

Red Rocks Community College has an all hazards Emergency Operations response and mitigation plan (EOP). This plan will be used for training and drills for our campus community so we may evaluate its effectiveness. The plan will be updated or revised as needed and these updates or revisions will be disseminated and used for training and development. According to the Clery Act requirements, the plan will also be available through the Red Rocks Community College web site.

## **CAMPUS/CENTER/NON-CAMPUS BUILDING CRIME STATISTICS**

The next section of the Annual Security Report (ASR) has the specific crime statistics as listed for each campus, center and non- campus building as required under the Clery Act. Please scroll down to review these statistics.

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Please scroll down to the next page for the College's Crime Statistics Reports for each Campus.

Crime Statistics Report

Red Rocks Community College

ALL CRIMES REPORTED BY CAMPUS POLICE	Lakewood Campus On-Campus			Lakewood Campus Public Property		
	2014	2015	2016	2014	2015	2016
OFFENSE TYPE	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible Sex Offenses	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS
• Rape	0	0	0	0	1	1
• Fondling	0	0	0	0	1	0
Non-forcible Sex Offenses	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS
• Incest	0	0	0	0	0	0
• Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	1	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

Arrest and Disciplinary Actions/Judicial Referrals

ARRESTS	Lakewood Campus On-Campus			Lakewood Campus Public Property		
	2014	2015	2016	2014	2015	2016
OFFENSE TYPE	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Liquor Law Violations	3	0	1	1	0	0
Drug Law Violations	5	2	9	0	1	0
Weapons Law Violations	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS	Lakewood Campus On-Campus			Lakewood Campus Public Property		
	2014	2015	2016	2014	2015	2016
OFFENSE TYPE	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	1	2	0	0	1	0
Weapons Law Violations	0	0	0	0	0	0

\*There was one Hate Crime Reported 2012-2014 based on any prejudice (race, gender, religion, sexual orientation, ethnicity, disability, national origin or gender identity).

-in 2014 a racial comment was made during a class that offended the instructor and some of the classroom students

-Statistics on Referrals for Student Disciplinary Action are obtained through a coordinated effort involving the Campus Police Office and the Dean of Student's Office.

-Red Rocks Community College does not own or operate any student housing.

-Red Rocks Community College does not have any non-campus buildings.



Crime Statistics Report

Red Rocks Community College

ALL CRIMES REPORTED BY CAMPUS POLICE	Arvada Health Sciences Campus			Arvada Health Sciences Campus Public Property		
	2014	2015	2016	2014	2015	2016
OFFENSE TYPE	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible Sex Offenses	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS
• Rape	0	0	0	0	0	0
• Fondling	0	0	0	0	0	0
Non-forcible Sex Offenses	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS	SEE BELOW-NEXT 2 ROWS
• Incest	0	0	0	0	0	0
• Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	1
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

Arrest and Disciplinary Actions/Judicial Referrals

ARRESTS	Arvada Health Sciences Campus			Arvada Health Sciences Campus Public Property		
	2014	2015	2016	2014	2015	2016
OFFENSE TYPE	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0
DISCIPLINARY ACTIONS/JUDICIAL REFERRALS	Arvada Health Sciences Campus			Arvada Health Sciences Campus Public Property		
	2014	2015	2016	2014	2015	2016
OFFENSE TYPE	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0

-There are no Hate Crime Reports 2012-2014 based on any prejudice (race, gender, religion, sexual orientation, ethnicity, disability, gender identity or national origin).  
 -Statistics on Referrals for Student Disciplinary Action are obtained through a coordinated effort involving the Campus Police Office and the VP of Student Success.  
 -Red Rocks Community College does not own or operate any student housing.  
 -Red Rocks Community College does not have any non-campus buildings.