



# ANNUAL SECURITY REPORT

THE UNIVERSITY OF ARIZONA  
2021

SIERRA VISTA CAST CAMPUS

[arizona.edu](https://arizona.edu)

*This page intentional left blank*

# MESSAGE FROM THE UNIVERSITY OF ARIZONA PRESIDENT



As we continue to navigate the challenges brought on by the COVID-19 pandemic, public health and safety remains the forefront what we do as an institution. As part of maintaining the rights and safety of everyone who comes to our campus, the University of Arizona Police Department (UAPD)'s Annual Security and Fire Safety Report furthers UAPD's work to ensure the wellbeing of our community. I urge you to read this year's report for the important information that will help everyone at the University of Arizona stay safe.

I am incredibly proud of the University community, especially of our compassion for one another and for what we do as individuals to make the University a safe place to learn, work, and visit. Whether it is physical distancing, wearing a mask, and washing our hands, or contributing to the ongoing process of reducing crime-related incidents

by knowing and observing the safety policies on campus, doing our part to ensure the public health and wellbeing of our community is as important as ever.

I am grateful to the UAPD for their daily work and dedication to excellence, and I would like to express my appreciation for Chief Brian Seastone, who retired this year after 41 years of service to our community. I would also like to thank everyone at the University for your good citizenship and cooperation. I hope everyone stays safe and healthy and has a successful academic year.

Bear Down and Mask Up,

**Robert C. Robbins, M.D.**  
President

---

# MESSAGE FROM THE UNIVERSITY OF ARIZONA CHIEF OF POLICE



For over 40 years, even before a federal mandate to publicize campus crime statistics, the University of Arizona Police Department (UAPD) has been proactive in keeping our community informed about crimes on campus. This is achieved through reporting crime statistics to the Federal Bureau of Investigation Uniform Crime Report (UCR) and publishing that information so our community can be better informed about incidents of reported crime on our campus. With the adoption of the federal Clery Act, our Annual Security Report includes not only crime statistics but also our policies and procedures concerning alcohol, drugs, sexual assault, and general safety on the University of Arizona campus in addition to resources available to the community.

The University of Arizona's main campus is a “city within the city” that has an average daily population of approximately 60,000 people. As our University continues to expand across the State of Arizona, we take great pride in our partnerships and relationships with many campus departments and constituencies. These relationships help us engage other law enforcement agencies—from local to federal—and governmental and non-governmental entities so we can be innovative and proactive about the safety of the University and our communities.

Never hesitate to call 9-1-1 when you feel unsafe, need help, or believe a crime has occurred – we are here to support you. With your partnership, we will continue to ensure this remains a safe and secure community to live, work and learn.

Sincerely,

**Jason T. Brei**  
Interim Chief of Police

# TABLE OF CONTENTS

Overview – Annual Security Report .....	1
How to Obtain a Copy of the Report.....	1
Nondiscrimination & Anti-Harassment Policy .....	2
Reporting Crimes & Emergencies .....	3
Voluntary, Confidential Reporting .....	3
Campus Security Authorities .....	3
Our Commitment to Safety and Security .....	5
Campus Security Officers .....	5
Daily Crime Log .....	5
Security of & Access to Campus Buildings & Grounds .....	5
Campus Maintenance .....	6
Campus Safety Alerts .....	6
Timely Warning Notifications .....	6
Emergency Notifications .....	7
Pandemic Response .....	10
Building Evacuation .....	10
Personal Safety & the Safety of Others .....	11
Risk Reductions .....	11
Bystander Intervention .....	12
Obtaining Registered Sex Offender Information .....	12
Crime Prevention .....	13
Safety & Crime Prevention Programs .....	13
Sexual Assault, Dating Violence, Domestic Violence & Stalking Prevention .....	13
Violence Against Women Act (VAWA).....	15
Procedures Victims Should Follow .....	15
Reporting an Incident of Dating Violence, Domestic Violence, Sexual Assault & Stalking.....	16
Available Supportive Measures .....	16
Obtaining Orders of Protection & Injunctions Against Harassment .....	17
University Response to Reports .....	17
Campus Security Policies .....	23
Weapons on Campus .....	23
Personal Safety Devices Permitted on UA Property .....	23
Workplace Violence .....	24
Alcohol & Drug Use Policies .....	24
Drug-Free Schools & Communities Act .....	25
Crime Statistics .....	27
Clery Crime Definitions .....	29
Clery Geography Definitions .....	35
Additional Resources .....	37

# OVERVIEW

## Annual Security Report

The University of Arizona, in compliance with the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act and the Higher Education Opportunity Act, publishes this document to provide its students, employees, and community with an overview of the University's security and safety resources, policies, and procedures. These policies and procedures are subject to change at any time.

The 2021 University of Arizona Security Report has been prepared by the University of Arizona Police Department (UAPD) with support from University departments and offices including the Office of Intuitional Equity, the Dean of Students, Residence Life, Human Resources, and Risk Management. The Report provides important safety information consistent with the standards outlined in the Clery Act. It contains statistics for the previous three (3) years of reported crimes that occurred on the University's main campus and in certain off-campus buildings or property owned, leased, and/or controlled by the University. The statistics included have been compiled using data provided by reports to UAPD, the University of Arizona Campus Security Authorities, and other local law enforcement agencies. University Policies that address safety, security, fire, domestic violence, dating violence, sexual assault, stalking, and alcohol/drug use are also included.

The Clery Act requires the University to provide an Annual Security Report for each campus. This report addresses the Sierra Vista College of Applied Science and Technology campus. Reports for the University's Main and Phoenix Bio-Medical campuses are available at <https://www.clery.arizona.edu>.

## How to Obtain a Copy of the Report

The University distributes a notice of the availability of the Annual Security Reports (ASR) by no later than October 1 of each year to members of the University community, including all students and employees, via their Arizona.edu email. Paper copies of the Reports can be obtained by contacting UAPD at 520-621-8273. For additional information visit the US Department of Education website <https://www2.ed.gov/admins/lead/safety/campus.html>.



# NONDISCRIMINATION & ANTI-HARASSMENT POLICY

The University of Arizona is committed to fostering a learning, working, and living environment free from all forms of discrimination, including harassment. The University's Nondiscrimination and Anti-harassment Policy prohibits discrimination and harassment on the basis of race, color, national origin, sex, religion, age, disability, veteran status, sexual orientation, and gender identity. The policy also prohibits retaliation for opposing discriminatory conduct, filing a discrimination-related complaint, or participating in the investigation of a discrimination-related complaint.

For definitions of discrimination, harassment, and retaliation, please see the University's Nondiscrimination and Anti-Harassment Policy [here](#).

This Nondiscrimination and Anti-harassment policy applies to:

- All University employees in all aspects of their employment relationship with the University.
- All University students in all aspects of their participation in the University's educational programs and activities.
- All University applicants, whether for employment or for admission to educational or University-sponsored programs, activities, or facilities.
- All persons or groups participating in or accessing University-sponsored programs, activities, or facilities; and
- All vendors or contractors in all aspects of their relationship with the University.

It is important that all members of our community know where to turn if they have a concern under the policy. If you ever experience or witness discrimination or harassment, you are encouraged to report this information to the appropriate University office.

If you have concerns about discrimination or harassment related to a university employee, student, contractor/vendor, or visitor, please contact:

Office of Institutional Equity, University Services Building #217,  
520-621-9449, <https://equity.arizona.edu/>

If possible, please file reports promptly.



# REPORTING CRIMES & EMERGENCIES

All students, faculty, and staff are encouraged to promptly and accurately report all suspicious activity and crimes to local law enforcement. The Sierra Vista Police Department has Primary jurisdiction for all law enforcement matters occurring on this campus. In case of a life-threatening emergency, dial 911. In a non-emergency, Sierra Vista Police Department can be reached at 520-458-3311. If a victim elects not to or is unable to report, a third party may make the report. If you are reporting a medical problem, ask someone to monitor the victim's condition so you can relay the information to the dispatcher.

All students, faculty, and staff are encouraged to promptly and accurately report all suspicious activity and crimes to local law enforcement.

The Sierra Vista campus is regularly patrolled by G4S Personnel, unarmed private security officers. The Security officers do not have arrest authority. The Sierra Vista Police

Department has Primary jurisdiction for all law enforcement matters occurring on this campus. The G4S officers work in partnership with the Sierra Vista Police Department. When an incident is reported to a security officer, they will contact Sierra Vista PD as well as report the incident to UA Campus Administration for statistical reporting and determination of whether a timely warning to the community is necessary.

## Voluntary, Confidential Reporting

Victims of crimes within the University's jurisdiction who do not want to pursue action within the criminal justice system or the University's judicial system are encouraged to confidentially report the incident for inclusion in the annual security report, daily crime log, and possible issuance of a timely warning. Voluntary reports can be made to:

Voluntary, Confidential Reporting		
Office	Website	Phone Number
Campus Health	<a href="https://health.arizona.edu/caps-services">https://health.arizona.edu/caps-services</a>	520-621-3344
Survivor Advocacy Office	<a href="https://survivoradvocacy.arizona.edu">https://survivoradvocacy.arizona.edu</a>	520-621-5737
Arizona Ombuds	<a href="https://ombuds.arizona.edu/">https://ombuds.arizona.edu/</a>	520-626-5589

These offices are required to provide a report of the type of incident, the location of the incident, and the approximate date of occurrence to the University of Arizona Clery Compliance Office. Any specific identifying information about a victim will be kept confidential, including any information about you specifically, or the detail of the incident you have experienced.

## Campus Security Authorities

While the University has designated UAPD as the place where campus community members should report crimes, we understand that victims and witnesses sometimes tell someone other than the police. The Clery Act designates those individuals with significant responsibility for student and campus activities as Campus Security Authorities (CSAs). CSAs have a reporting responsibility that includes completing and submitting the crime statistic report form when they become aware of an incident. CSAs can complete the CSA Form through the UA Clery website, <https://clery.arizona.edu>. Individuals identified as CSAs at UA include, but are not limited to, UAPD personnel; Dean of Students; Housing & Residence Life staff; the Department of Intercollegiate Athletics (coaches);



Office of Institutional Equity and any other University official who has the authority and duty to take action or respond to particular issues on behalf of the University.

Professional and pastoral counselors functioning within the scope of their license or certification are exempt from CSA reporting even though they may have significant responsibility for student and campus activities. Counselors are encouraged, when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual crime statistics.

Reports filed using any of these methods are collected to be included on the daily crime log, possible issuing of a timely warning to the campus community, and for possible inclusion in the ASR.



**Sierra Vista Police Department**

In an emergency call 9-1-1

520-458-3311(non-emergency)

911 N. Coronado Drive

Sierra Vista, AZ 85635

[SV.PD@SierraVistaAZ.gov](mailto:SV.PD@SierraVistaAZ.gov)



**Campus Health Counseling &  
Psych Services (CAPS)**

520-621-3334

Highland Commons

1224 E Lowell

Tucson, Arizona 85721

---

# OUR COMMITMENT TO SAFETY & SECURITY

## Campus Security Officers

The University of Arizona prioritizes the personal safety of its students, faculty, staff, and visitors. The Sierra Vista campus is regularly patrolled by G4S Personnel, unarmed private security officers. The Security officers do not have arrest authority. The G4S officers work in partnership with the Sierra Vista Police Department. When an incident is reported to a security officer, they will contact Sierra Vista PD as well as report the incident to UA Campus Administration for statistical reporting and determination of whether a timely warning to the community is necessary.

## Daily Crime Log

The Sierra Vista Police Department has jurisdiction for all law enforcement matters occurring on the UA Sierra Vista College of Applied Science and Technology Campus. The crime reports for Sierra Vista are available upon request by visiting the Sierra Vista Police department website, <http://www.sierravistaaz.gov/city-departments/police>.

---

# SECURITY OF & ACCESS TO CAMPUS BUILDINGS & GROUNDS

Campus administration and faculty offices are open to the public from 8 am – 9 pm Monday through Friday. The Student Learning and Resource Center building is open to the public 8 am – 9 pm Monday through Friday and 8 am – 4 pm on Saturday. Each campus building is equipped with cameras that are monitored by security officers stationed at the security desk located in the Student Learning and Resource Center. The UACIRT team regularly inspects the safety conditions of buildings and makes recommendations for improvements. Lighting and safety hazards identified during routine patrols of the campus are forwarded on an ongoing basis to Facilities Management. We encourage community members to promptly report any security concerns.



In compliance with University Policy, some University buildings, as well as mechanical, electrical, telecommunications, and custodial rooms, are designated as restricted spaces by the University. These buildings and rooms can only be accessed by CatCard swipe, SmartChip detection, PIN code, or Biometric Scan.

## Campus Maintenance

University of Arizona Risk Management Services (RMS) assists the campus community in creating a safe environment for faculty, staff, students, and visitors based on national, state, and local regulations related to occupational and environmental health and safety. Please contact RMS at <https://risk.arizona.edu/safety-hazard-form> to report routine physical safety hazards. Examples include broken or missing handrails, tripping hazards, fire hazards such as improper storage, or other conditions that might result in injury or property damage. RMS will evaluate the condition reported, and coordinate any action needed with the appropriate University department.

# CAMPUS SAFETY ALERTS

## Timely Warning Notifications

Timely warning notifications are issued to alert the campus community of violent crimes against persons, or a series of crimes against property that occur on campus or University property, that represents a serious or ongoing threat to the safety of students or employees, in a manner that will promote safety and aid in the prevention of similar crimes. The University may issue a timely warning for the following crimes: arson, aggravated assault, criminal homicide, robbery, burglary, rape, and hate crimes. Timely warnings may also be issued for other crimes as deemed necessary.

The decision to issue a timely warning is made on a case-by-case basis and includes factors such as the nature of the crime, whether a continuing danger to the campus community exists, and the possible risk of compromising law enforcement efforts.



Before issuing a warning, University officials will confer to determine whether it is appropriate to issue a Timely Warning. Although UAPD is primarily responsible for issuing timely warnings, any of the following individuals may compose and disseminate a timely warning on behalf of the University of Arizona and UAPD:

- UAPD Chief of Police
- UAPD Assistant Chief
- UAPD Lieutenant
- Vice President, UA Communications
- Associate Vice President, UA Communications

A timely warning may provide details of the crime, a description of the suspect (if known), information on whom to contact about the investigation, and timely crime prevention tips to prevent similar occurrences. Names of victims are not included. The goal is to issue timely warnings as soon as possible.

The primary method of dissemination of a timely warning is through the University's campus-wide email system, from an email address specifically designated for this purpose. Emails are sent to all currently enrolled students, faculty, and staff, who have been issued an arizona.edu account. Other

methods may be used to supplement email distribution to promote community-wide awareness.

These methods may include, but are not limited to:

- UAPD website: <https://uapd.arizona.edu/>.
- University and UAPD social media sites.
- Flyers, posters, and notices; and
- Other methods and/or combinations of methods

All current and recent alerts are posted online for a minimum of 120 days.

## Emergency Notifications

The University provides students, employees, and other campus users with information about campus emergencies in the most timely, effective, and accurate manner as is reasonably possible. The University has instituted multiple methods of making timely notifications to the University community, including UAlert, a text messaging and email notification system, building/classroom messaging boards, the UArizona home page, <http://www.arizona.edu>, and the UACIRT webpage, <http://www.cirt.arizona.edu>, which feature changing and dynamic information, and the all-campus email system. Those methods enhance the University's ability to provide timely warnings and notification of any emergency issues that the University may face. The purpose of these communications is:

- To provide accurate and effective information to students, employees, and the public.
- To ensure that official communications from the University are uninterrupted, regardless of circumstances; and
- To guide University units during emergencies or critical incidents

UAlert is a free service that delivers emergency alerts to registered students, faculty, and staff – as well as their friends and family – via their cell phones, mobile devices, and/or email accounts during a campus emergency. The UAlert text messaging system is a voluntary “opt-out” critical incident notification system offered to the students and a voluntary “opt-in” for faculty and staff of the University. This service is offered free of charge. Register for the UALERT system at <https://cirt.arizona.edu/ualert>. Although UALERT is a free service offered by the University, service providers may charge a standard text messaging fee.

UAlert will be activated without delay by an authorized individual when he/she has confirmed, either personally or through reliable sources, a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and/or affiliated personnel occurring on the campus. To ensure the integrity of the UAlert system, a limited number of individuals are authorized to send UAlert messages. Those individuals are:

### Main Campus

- UAPD
- Chief of Police
- Assistant Chief
- Lieutenant
- Dispatch Supervisor
- Coordinator of Emergency Preparedness

### Phoenix Bio-Medical Campus

- Executive Director, Planning and Operations
- Associate Vice President for Business Affairs
- Associate Director for Human Resources (Phoenix)



- Senior Director for Marketing and Communications (Phoenix)
- UAPD designated personnel
- Vice President for Communications
- Associate Vice President for Communications

#### Sierra Vista Campus

- UAPD designated personnel
- Vice President of University Communications
- Associate Vice President of University Communications
- Coordinator for Emergency Management

#### University Communications

- Vice President for Communications
- Associate Vice President for Communications

#### University Information Technology Services (UITS)

- Designated UITs personnel at the direction of the other authorized personnel

The University will determine and employ communication methods appropriate to the situation to notify the affected University community immediately.

### **Determining the need for an Emergency Notification**

Confirmation of significant emergencies will require direct investigation by appropriate University personnel. Considering the safety of the community, the University will determine the content of the notification. If a notification will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency, a notification may be limited or determined to be outside the best interest of the University.

For all campus law enforcement issues, UAPD will be primarily responsible for confirming a significant emergency or dangerous public safety situation through the victim, witness, and or officer observations.

Upon confirmation, the UAPD supervisor will contact a Lieutenant, Assistant Chief, Deputy Chief, or Chief of Police, who will have the primary responsibility to prepare and issue notifications.

For other emergencies (non-law enforcement), including but not limited to hazardous materials releases, utility failures, computer systems/telecommunications failures, and hazardous weather affecting the University's Main Campus, other departments at the University (including Risk Management and Safety, Facilities Management, and University Information Technology Services) may also confirm a significant emergency.

Confirming departments will report the non-law enforcement emergency to the UAPD or Coordinator of Emergency Preparedness, who will have the primary responsibility to prepare and issue non-law enforcement emergency notifications.

UAlert may be used to make the campus community aware of other situations, after at least three (3) members of the UAlert Assessment Team have conferred and made a collective decision to issue a precautionary UAlert. These alerts may not be issued as quickly, as listed above, due to the need to confirm information from an outside entity not associated with the University.



## **Determining the Content of an Emergency Message**

The content of a text message must be short, concise, and understandable. If necessary, multiple messages may be sent to explain a situation. All reasonable efforts will be made to include information in a single message. An emergency message will include information that would enable members of the University community to take action to protect themselves.

The following items will be included in the first UAlert message, if available:

- Type of incident.
- Location.
- Action to take (e.g., shelter in place, evaluate); and
- Suspect description, if available.

Follow-up messages will be used to provide updates and additional instructions. Those messages may be authorized in the manner described above, or from the UACIRT, if activated, as part of the ongoing critical incident information process.

Each subsequent message for an incident will be identified in the reference line with an “Update” and the number of the update. Follow-up messages will include:

- Reference line with an update number, such as “Update #2”.
- Concise update, such as: “Armed subject still at large”.
- What actions individuals should take.
- When actions should be taken; and/or
- Any other pertinent information.

When the incident has been resolved and/or individuals may resume routine activity, an “all clear” message will be sent. The final message will include the wording “all clear.” The “all clear” will indicate that the situation has been resolved and the University may return to normal operations.

## **Disseminating Information to the Community**

The University does not issue alerts to segmented parts of the community. Understanding that the alert may not pertain to all campus members, the University has determined that campus-wide notification best serves the needs of the overall University community.

All UAlert messages that originate at the Main Campus will be sent to all campus members who have signed up for the text messaging service and to all University email accounts.

## **Testing of UAlert**

UAlert is reserved for emergency notification, so no mass testing of the system will take place. However, once each semester a test message will be sent to UACIRT members if the system has not been activated in the past semester.

## **Drills & Exercises**

- Annually, the CIRT/subgroups and/or UAPD will conduct an emergency training exercise concerning the Campus Emergency Response Plan (CERP) to include readiness, response, and evacuation. Exercises may be:
  - Full-scale exercise.
  - Functional exercises.
  - Drills; and/or
  - Tabletop exercises.



Publicity for the emergency response exercise may be limited before the exercise to help ensure the safety, security, and integrity of the exercise. When practical, the exercise will be announced in advance to UACIRT members, University Senior Leadership, the University Community via University Communications, and/or to a specific group that is affected by the exercise.

Before an exercise, affected groups will be notified of specific procedures and actions to take in the event of an actual emergency. Following the exercise an After-action Report will be completed by UAPD containing the following information:

- Description of the exercise.
- Date and time the exercise was held.
- If the exercise was announced or unannounced; and
- Lessons learned.

Emergency response and evaluation procedures are publicized in conjunction with the annual drill or exercise.

## **Pandemic Response**

The University's response to pandemic incidents, such as the recent COVID 19 outbreak, is to notify the campus community in a timely manner and provide up-to-date guidance, as well as other pertinent information and resources. The primary methods of dissemination of information are through emergency banners on the University website, the University's campus-wide email system, and when appropriate through the UAlert system. The University will continue to provide up-to-date information and response procedures through ongoing communications such as emails, websites, and online forums.

## **Building Evacuation**

Circumstances that may require building evacuation may include power failure, criminal activity, the discovery of a suspicious object, fire, or an unexpected release of hazardous material. Always remain calm and follow the directions given by emergency responders (police or fire department personnel), building managers, or other persons of authority.

In most cases, the use of the building fire alarm system is the most efficient and universally understood means to notify building occupants to begin an evacuation. When the fire alarm activates, a loud horn or siren sounds, accompanied by flashing strobe lights. In some buildings, there may also be a recorded voice notification.

**Do not re-enter the building until directed to do so by emergency response personnel.**

At other times, it may be necessary to notify building occupants to evacuate in a more discreet manner. These orders may be given by police or fire personnel, building managers, supervisors, or other university officials.

In all cases, when notice is made to evacuate, leave the building right away in an orderly manner using established evacuation routes and stairs.

- DO NOT use the elevators.

- Take immediately available personal items with you (i.e. purses, backpacks, etc.) as these items may not be available to you for some time. DO NOT go back into a building to retrieve personal items.
- Go to your pre-determined gathering point or remain at a distance of at least 200 feet from the building. Follow all orders from authorized persons. If you are a supervisor, try to account for your employees and report any missing persons to the emergency personnel at the scene.

### **Evacuation of Disabled Persons**

If a person with a disability is able to exit the building without the use of the elevator, then evacuation should follow the appropriate route out of the building. If the exit from the building is only possible by the use of the elevator, follow the procedures outlined below:

- The disabled person should proceed or ask for assistance to the nearest enclosed or exterior stairwell or "area of safe refuge" and remain there. In case of a fire, enclosed building stairwells are "safe refuge areas," and have a higher fire-resistive rating. The disabled person should notify an individual (i.e., a co-worker, supervisor, instructor, or building monitor) of their specific location. If possible, the disabled person can notify 9-1-1 of their location.
- Make sure the door to the stairwell is closed. Open doors will violate the "safe refuge area" and will allow smoke, and possibly fire, into the stairwell.

# **PERSONAL SAFETY & THE SAFETY OF OTHERS**

### **Risk Reduction**

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

The University of Arizona campus shares many of the same concerns as other urban institutions. Students, employees, and visitors should take precautions to assure the protection of their person and property. Sexual assault, in addition to other forms of violence, is never the fault of the person assaulted. Being alert and conscious of your surroundings contributes immensely to your safety, as well as others. Some personal safety tips you should consider are:

- First and foremost, pay attention to actions occurring around you.
- Be familiar with your surroundings, identifying emergency phone locations and occupied buildings.
- Utilize the LiveSafe App for added personal safety.
- Walk with a purpose and exude confidence—have your keys and/or ID Card in hand when approaching buildings or your vehicle.
- Avoid walking alone and in dark or isolated areas during hours of darkness. If you sense that you are being followed, travel to a well-lit, populated area.

Make it a point to know where emergency telephones are located throughout the campus and do not hesitate to use them should you feel at risk or witness a crime. Notify UAPD immediately if anyone on campus has bothered you, followed you, harmed, or attempted to harm you.

Some precautions that you can take to avoid being a victim are:

- Never leave valuables in plain sight.

- Do not bring valuables to campus unless it is necessary to do so.
- Always keep your room/apartment door closed and locked, even when you are inside.
- Record serial numbers of all electronics and store this list in a safe place.

## Bystander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.



Bystanders play a critical role in the prevention of sexual and relationship violence. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1.

This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

## Obtaining Registered Sex Offender Information

The Arizona Department of Public Safety has a website where registered sex offenders are listed by location. To determine whether a registered sex offender is residing near the campus or your residence, go to <https://www.azdps.gov/services/public/offender>.

Pursuant to Arizona Revised Statute 13-3825, UAPD notifies the campus community regarding registered sex offenders who are either employees or students at the University. Up-to-date notifications can be found on the UAPD website at <https://www.uapd.arizona.edu> and by clicking on the “sex offender information” link.

# CRIME PREVENTION

As a public venue, the average daily population of the University may include thousands of visitors. Although the campus is usually a safe environment, crimes cannot be uniformly prevented. The University of Arizona emphasizes that everyone on its campuses are expected to obey the laws of the State of Arizona and the rules and regulations of the University in pursuit of maximum safety for all.

## Safety & Crime Prevention Programs

As part of the University's overall safety plan, the UAPD Community Engagement Unit provides the University community with educational programs on crime prevention techniques and personal safety practices. Community Engagement Officers offer a variety of educational presentations and campaigns on safety and crime prevention topics to students, employees, and other community groups, both on and off-campus.

Safety & Crime Prevention Educational Presentations	2020 Events
<b><u>New Student Orientation</u></b> - This presentation provides new students an introduction to UAPD and campus safety with an emphasis on personal safety and the resources available on campus	4
<b><u>SHADE Class</u></b> - This training will discuss the effects and consequences of underage drug use and violations. It also covers the effects on the body.	13
<b><u>Workplace Safety</u></b> - This presentation provides information on safeguarding your office and home, including information on workplace violence and active shooter situations.	2
<b><u>Active Shooter Response</u></b> - This presentation will empower you with the mindset and practical tools to make the best possible decisions for your day-to-day safety and teach you how to respond during crisis situations. You will learn about a wide range of general safety strategies, and specific best practices to utilize if you find yourself in an active shooter situation.	5
<b><u>Campus Safety</u></b> - This presentation provides the campus community with day-to-day personal safety tips. Awareness is key to campus life and safety.	3
<b><u>Alcohol Awareness Presentation</u></b> - This presentation is aimed at educating students about the dangers of alcohol use, including underage consumption, binge drinking, and DUI. The presentation also goes over Arizona liquor laws and UA policy regarding alcohol use on campus.	2

Members of the University community who would like a personalized presentation can contact the Community Engagement Unit at 520-621-4219. More information on these programs is available on the UAPD website at <https://uapd.arizona.edu/content/community-engagement>.

## Sexual Assault, Dating Violence, Domestic Violence & Stalking Prevention & Awareness Programs

As part of the University's overall safety plan, sexual violence prevention and awareness programs are provided on an ongoing basis for students and employees. These programs include information on consent, healthy relationships, risk reductions, and how to support sexual assault survivors. Due to the exceptional circumstances in 2020 due to the Covid-19 pandemic, most programs were conducted online, on social media, or through online meeting applications.

Sexual Assault, Dating Violence, Domestic Violence & Stalking Prevention & Awareness Programs	2020 Events
<b><u>New Student Orientation</u></b> (Students) – Presentations include information on personal safety, consent. This presentation includes information on the UA “I Will” campaign.	Ongoing
<b><u>Consortium on Gender-Based Violence</u></b> (Students & Employees)– A research and resource center that seeks to model and inspire a radical shift in the way we think about and address gender-based violence. The 2020 campus engagement included: <ul style="list-style-type: none"> <li>• Boyhood and Masculinity: a film and conversation with Ashanti Branch – Screening of the documentary “The Mask You Live in” and a panel discussion between Mr. Branch and local leaders from Tucson whose work focuses on encouraging and fostering healthy masculinity.</li> <li>• Self-Care and Healing Workshop for Sexual Violence Survivors - online self-care workshop for survivors in collaboration with the Survivor Advocacy Program. Dr. Ranjbar provided insight into how various interlocking traumas impact our brain and bodies, drawing attention to how COVID-19 has made survivors of domestic and sexual violence particularly vulnerable to re-traumatization.</li> </ul>	2
<b><u>OASIS</u></b> (Students & Employees) - UA’s Campus Health Oasis Sexual Assault and Trauma Services (Oasis) program provides advocacy, support, and outreach to UA students, staff, and faculty of all genders who are impacted by sexual assault, relationship violence, and stalking. Oasis offers the following online programs: <ul style="list-style-type: none"> <li>• I will Campaign –The online UA “I Will” Campaign is a student-led effort to end rape culture on campus by raising awareness of sexual assault and promoting consent.</li> <li>• One Love – Online - Learn the difference between healthy and unhealthy relationships, spot the warning signs, and learn how to help a friend at <a href="#">One Love</a> and their <a href="#">#thatsnotlove campaign</a>.</li> </ul>	Ongoing & Online
<b><u>Campus Health LivingWild!</u></b> (Students & Employees) – Online source for health & wellness information. SexTalk articles - answers to your questions about sex & relationships. 2020 topics included: <ul style="list-style-type: none"> <li>• How do you stay sexually healthy? 6 essential Tips – your body and know your resources.</li> <li>• Sex in the Time of Covid-19 – Covid-19 has drastically impacted almost every aspect of our lives, and that includes sexual activity.</li> <li>• The Best (and worst) reasons to have sex - A Short list.</li> </ul>	Ongoing & Online

The Division of Human Resources (HR) and the Office of Institutional Equity (OIE) also provide the campus community with information on prevention, response, and awareness of dating and domestic violence, abuse, sexual assault, and stalking. Information is available and distributed to employees and students through a variety of venues, including printed materials and brochures, multiple websites, online training, annual email messages, new student and employee orientations, training hosted by HR and OIE, and through their departments. Examples include:

- Title IX - Policies, Reporting, and Resources” brochure
- “Employee Resources for Sex Discrimination, Sexual Assault, and Relationship Violence” brochure
- Campus Safety Memo
- “Preventing Harassment and Discrimination” online training.
- “Sexual Assault Prevention Training for Students” online training.



# VIOLENCE AGAINST WOMEN ACT (VAWA)

## Procedures Victims Should Follow in Cases of Alleged Dating Violence, Domestic Violence, Sexual Assault & Stalking

The University's primary concern is always for the victim's immediate and long-term well-being. It is important that all members of our community know where to turn if they have been a victim of dating violence, domestic violence, sexual assault, or stalking, need assistance or support, or would like to file a complaint. Anyone who has witnessed or knows about, or has experienced dating violence, domestic violence, sexual assault, or stalking is strongly encouraged by the University to seek help and report the concern. Campus office including the Dean of Students, Institutional Equity, Campus Health, Housing & Residential Life, and Human Resources are available to assist and support a victim in notifying law enforcement.

After safety is addressed, victims of these crimes are encouraged to:

- Report the crime by dialing 9-1-1 if a report has not already been made. Tell the Dispatcher as soon as possible if immediate medical attention is needed.
- Preserve evidence to aid the law enforcement investigation and prosecution. This may also be helpful in obtaining a protection order.
- Some ways to preserve evidence include:
  - Refraining from washing, bathing, showering, or douching.
  - Refraining from washing clothes or other items worn/used during the incident.
  - Do not delete text messages or emails.
- Show the officer where these items are located upon his/her arrival.
- Give as detailed an account of the incident as possible to assist officers with their investigation.

A victim has the right to receive medical care at an Emergency Room facility regardless of whether the victim chooses to involve law enforcement. A Medical Forensic Sexual Exam is always free of charge to the victim of a crime of sexual violence. To obtain a free exam, a victim should contact as ACFAN advocacy Center:

Cochise Family Advocacy Center, Inc "Lori's Place"  
214 E Tacoma Street  
Sierra Vista, AZ 85635  
520-515-4444  
<https://www.lorisplaceaz.org/>

The University of Arizona encourages victims to get the exam to preserve evidence should they later decide to seek prosecution. It may also assist in seeking an order of protection. More information on medical forensic exams is available at <https://www.acfan.net/arizona-map.htm> The victim does not need to aid in prosecution in order to seek medical treatment for the collection of sexual assault evidence. The victim will decide if he/she wishes to pursue criminal charges.

These services are available to victims whether the incidents occurred on or off-campus, regardless of whether the incident is reported to law enforcement.

The University is committed to assisting and supporting individual community members affected by dating violence, domestic violence, sexual assault, stalking, and discrimination. To do so, the University provides written information to victims regarding the preservation of evidence, reporting options, no-contact orders, victim rights, and resources as well as how to request interim actions. This



written information is provided regardless of where the incident occurred (on or off campus) or whether the victim chooses to report the unlawful activity to law enforcement. These resources include on and off-campus options for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services. This information is also available within this report as well as on the UA Clery Act Compliance website at <https://www.clery.arizona.edu>.

The Office of Institutional Equity (OIE) may be reached at 520-621-9449 or email [equity@email.arizona.edu](mailto:equity@email.arizona.edu) to request an appointment and to learn more about OIE's process and procedures, and whether they potentially apply to your concern. Additional resources are available in Appendix B of this report.

## **Reporting an Incident of Dating Violence, Domestic Violence, Sexual Assault & Stalking**

Anyone who has witnessed or knows about, or has experienced dating violence, domestic violence, sexual assault, or stalking is encouraged to seek support and report the concern. There are several ways to report concerns and to get needed information, support, and resources. You are encouraged to report any potential crime to law enforcement and any emergency by calling 9-1-1.

If a victim does not wish to involve law enforcement, reports should be filed with the Office of Institutional Equity  
520-621-9449  
<https://equity.arizona.edu/reporting>

If allegations of dating violence, domestic violence, sexual assault, and/or stalking are reported to UAPD, an officer will immediately be dispatched to seek medical attention for the victim, investigate the crime, and provide other assistance. If the incident occurred outside the jurisdictional responsibility of UAPD, the victim will be supported by UAPD in notifying and reporting to the proper law enforcement agency.

UAPD utilizes the resources of the Southern Arizona Center Against Sexual Assault and an extensive support-counseling network of university personnel.

Even if an individual does not wish to involve law enforcement reporting is available to the Office of Institutional Equity online at <https://equity.arizona.edu/report-concern>. You may also contact OIE directly at 520-621-9449 or email [equity@email.arizona.edu](mailto:equity@email.arizona.edu) to request an appointment and to learn more about OIE's process and procedures, and whether they potentially apply to your concern.

To request disability-related accommodations for reporting concerns or when seeking assistance, such as ASL interpreting, Communication Access Real-Time Translation (CART), Braille or electronic text, etc., please contact Disability Resources at 520-621-3268 or email [DRC-info@email.arizona.edu](mailto:DRC-info@email.arizona.edu).

## **Available Supportive Measures**

The University offers a range of resources to students and employees impacted by sexual assault, domestic violence, dating violence, and stalking. Supportive measures are non-disciplinary, non-punitive individualized services, offered as appropriate and reasonably available and may include interim accommodations which are short-term, remedial measures to ensure the safety of all individuals involved. These actions can be enacted quickly, even before (or without) a complaint being filed and will be confidential to the extent allowable under law and policy.

Supportive Measures can include:

- No-contact orders

- Changes to on-campus housing or work locations
- Changes to class or activity schedules
- Transportation assistance
- Additional measures may also be possible

University students and employees can contact the Office of Institutional Equity, (520) 621-9449 or email [equity.arizona.edu](mailto:equity.arizona.edu).

## **Obtaining Orders of Protection & Injunctions Against Harassment**

A victim of a crime in Arizona has a constitutional right to be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse through the criminal process. All state, county, and municipal justice agencies and courts in Arizona are required to perform certain duties to ensure that a victim receives those rights. To request a copy of the Arizona victims' rights laws, contact the Arizona Attorney General, Office of Victim Services at 866-742-4911. A victim also has the right to decline notification of authorities.

Victims may also pursue an Order of Protection or Injunction against harassment from any superior, municipal, or justice court regardless of where they live in Arizona. When you enter the court, go to the Clerk of the Courts counter, Self Service Center, or Protection Order Window and tell the clerk you are requesting an Order of Protection or an Injunction against Harassment. The clerk will give you the proper petition forms. The courts located in Cochise County include:

- Cochise County Superior Court – 520-803-3606
- Cochise County Justice Court – 520-586-8100
- Cochise County Juvenile Court – 520-432-5458

Victims may also contact the Survivor Advocacy office for assistance in obtaining these orders at 520-621-5767 or email [survivoradvocacy@arizona.edu](mailto:survivoradvocacy@arizona.edu). Additional information on obtaining these orders is available at <http://www.azlawhelp.org>. Once an injunction or order has been served, it will typically be in effect for twelve (12) months. The University is required to honor and comply with orders of protection and injunctions against harassment. If the defendant does not follow the terms, the police should be notified immediately.

## **University Response to Reports of Dating Violence, Domestic Violence, Sexual Assault & Stalking**

The University of Arizona is committed to creating and maintaining an environment free of discrimination. In support of this commitment, the University prohibits sex-based discrimination including harassment and violence. A person affected by discrimination can seek confidential support or assistance, can request supportive measures, and can request formal disciplinary proceedings by the University.

All reports regarding sex-based discrimination including harassment and violence undergo an initial assessment by the Office of Institutional Equity based on a limited threshold review, as to whether the report alleges conduct that may be addressed through the Title IX Procedures. If the report does not meet those jurisdictional requirements, the allegations may be investigated under the Student Code of Conduct, Nondiscrimination and Anti-harassment Policy, or other applicable University policies. All investigations will be conducted through a prompt, fair, and impartial process from the initial investigation to the final result. Investigations are conducted by university officials who do not have a conflict of interest or bias for or against the accuser or the accused. Investigators are trained annually on the issues in these cases, including incident investigation and conducting a hearing that protects the victim's safety and promotes accountability. Materials used to train Title IX Coordinators,

investigators, and decision makers are available at <https://equity.arizona.edu/training-title-ix-personnel>.

The University of Arizona will, upon written request, disclose to the alleged victim of a crime of violence or an incident of incest or statutory rape, the results of any disciplinary proceeding against the respondent student alleged to have committed such an offense. If the alleged victim is deceased as a result of such crime or offense, the victim's next of kin shall be treated as the alleged victim.



## **Title IX Procedures**

Upon confirmation of receipt of a formal complaint, the Title IX Coordinator or designee will provide written notice to the complainant and respondent containing:

1. A link to the University's Nondiscrimination and Anti-harassment Policy and these Procedures.
2. The allegations of sexual harassment made by the Complainant including the identities of those involved in the incident, the conduct that is alleged to have been sexual harassment, and the date and location of the conduct, if known.
3. A statement informing the parties that employees and students are required to attend any meeting scheduled under these Procedures. While attendance is required, students and employees are not required to participate in meetings under this process. If an individual chooses to participate in the process, they must do so by providing truthful information. Providing false or misleading information in this process may result in disciplinary action under other University policies.
4. A statement that the Complainant and Respondent may have an advisor of their choice who may be, but is not required to be, an attorney, and that they, or their advisors, may inspect and review evidence under these Procedures.
5. The Notice shall be sent to both parties at least three (3) days prior to any scheduled interview in order to allow Complainant and Respondent sufficient time to prepare a response and attend the meeting.
6. A statement that all evidence directly related to the Formal Complaint will be shared with both parties.
7. A statement that the standard of review is the preponderance of the evidence, and that the University has the burden of proof.
8. A statement that the Respondent is presumed not responsible until a Determination of responsibility is made after a hearing.
9. A statement that there is no restriction on the ability of either party to discuss the allegations under investigation or their own knowledge of facts to gather and present relevant evidence throughout the investigation and adjudication process.
10. A statement that if, in the course of an investigation, additional allegations about the Complainant or Respondent are identified, that were not included in the notice already provided, an additional notice of allegations (supplemental notice) to the parties whose identities are known will be provided.
11. A statement that if the Formal Complaint must be dismissed, the allegations may be investigated under the Student Code of Conduct, Nondiscrimination and Anti-harassment Policy, or other applicable University policy.

The investigator will:

1. Gather evidence sufficient for the Hearing Officer to reasonably determine after a Hearing whether the Respondent is responsible for the alleged sexual harassment based on the preponderance of the evidence (more likely than not that a violation has occurred).
2. Provide Complainant and Respondent with written notice of the date, time, location, participants, and purpose of any meeting or interview that includes Complainant or Respondent allowing sufficient time for the Complainant or Respondent to meaningfully participate.
3. Provide Complainant and Respondent with the same reasonable opportunities to meet with the Investigator, present witnesses, including fact and expert witnesses, and any other evidence.
4. Allow the Complainant and Respondent to discuss the allegations, gather evidence, or present relevant evidence to the Investigator at any point during the investigation.
5. Provide Complainant and Respondent with an equal opportunity to reasonably inspect or review any relevant evidence obtained by the Investigator during the investigation.
6. Allow the Complainant and Respondent to have an advisor of their choice.
7. Complete the investigation within ninety (90) days of receiving the report unless the complexity of the allegations, facts, or evidence or other cause for an extension exists. When an extension is necessary, the Investigator will inform the Complainant and Respondent of the extension in writing.
8. Provide Complainant and Respondent equal opportunity to inspect and review any evidence obtained by the Investigator as part of the investigation of the report that is directly related to the allegations raised at least ten (10) days prior to the Investigator completing the Investigative Report. If the Complainant or Respondent responds to the evidence in writing, the Investigator will consider that response prior to completing the initial Investigative Report.

At the conclusion of the investigation and at least ten (10) days prior to the Hearing, the Investigator will provide a written report to Complainant and Respondent, and their advisors, that fairly summarizes the relevant evidence and includes a description of the procedural steps taken from the receipt of the formal complaint through the completion of the investigative report.

After receipt of the initial Investigative Report, the Complainant and Respondent may provide a written response to the Title IX Coordinator within five (5) days. The response should provide reasons for disagreement with the Investigative Report. The investigator will make any necessary revisions and finalize the Investigative Report. All party responses to the initial Investigative Report will be included in the investigation file. The Investigator will send a copy of the final Investigative Report to the Hearing Officer who will conduct the hearing.

The Hearing Officer will provide the Complainant and Respondent with written notice of the assignment and direction as to the time, place, nature of the hearing, the specific allegations made, and any pre-hearing process for the Hearing. The notice will be provided to the parties no less than twenty (20) days prior to the date set for the hearing.

A Hearing Officer will preside over the hearing. The Hearing Officer will make all decisions concerning how the Hearing will be conducted with the following requirements included:

1. The Hearing Officer will provide the Complainant and Respondent with written notice of the assignment and direction as to the time, place, nature of the hearing, the specific allegations made, and any pre-hearing process for the Hearing. The Notice, which will be provided to the parties no less than twenty (20) days prior to the date set for the hearing, will include the other requirements described in this section, include a copy of the Investigative Report, and affirm that the Hearing is being conducted under 34 C.F.R. Part 106.45, Arizona Board of Regents policy, and these procedures. The notice will be directed to the Complainant and Respondent's University e-mail addresses.

2. No later than five (5) days prior to the hearing Complainant and Respondent will identify their expected hearing attendees, including any advisor, and their expected witnesses (including themselves) and indicate the witnesses expected sequence. The disclosure will be supplied to the other party. The parties are not bound by their disclosures but should submit any information in good faith.
3. If the Complainant or Respondent does not have an advisor for the Hearing, the Title IX Coordinator will provide a Hearing Advisor to Complainant or Respondent without fee or charge solely to conduct cross-examination on behalf of Complainant or Respondent.
4. Complainant and Respondent are not permitted to ask questions of the other party or witnesses and must consult with, rely on, and direct their advisors to ask questions on behalf of the Complainant and Respondent. The advisors for the Complainant and Respondent will be permitted to ask relevant questions of the other party and witnesses, including those that challenge credibility.
5. The Hearing Officer has the authority to exclude any question asked by the advisors for complainant or Respondent as being irrelevant, but if the Hearing Officer chooses to exclude a question, the Hearing Officer must explain to the participants the reasons why the question is irrelevant.
6. Questions about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions about prior sexual behavior are asked to prove that someone other than Respondent committed the sexually harassing conduct alleged by Complainant, or if the questions asked concern the Respondent's interaction with Complainant and are to prove consent by Complainant.
7. Advisors are not permitted to make factual or legal arguments on behalf of Complainant and Respondent to the Hearing Officer.
8. If the Complainant or Respondent, or any witness, refuses to subject themselves to cross-examination, the Hearing Officer must not rely on any statements from that party or witness in reaching the decision determining responsibility. However, the Hearing Officer cannot infer that the refusal, or the absence, of a party or witness at the Hearing itself creates a reason to doubt all of the other relevant evidence objectively.
9. The Hearing must be "live" meaning that the parties and their advisors will participate in person or virtually for all parts of the Hearing.
10. The Complainant or Respondent may request in writing prior to the Hearing that the Complainant and Respondent be in separate rooms during the Hearing with technology enabling the participants in the Hearing to see and hear each other. If this request is made, the Hearing Officer will ensure the appropriate technology and support is provided to comply with this request. The Hearing Officer may choose to conduct the Hearing, or any portion of the Hearing, virtually as long as the technology used ensures that participants can see and hear each other, their advisors, the Hearing Officer, and the witnesses.
11. The Hearing Officer will ensure that an audio/visual recording, or transcript, of the Hearing will be made and that Complainant and Respondent will have access to the recording or transcript.
12. Other than these requirements, the Hearing Officer has the discretion and authority to conduct the Hearing as the Hearing Officer sees fit with due consideration of treating the Complainant and Respondent equitably concerning the presentation of relevant evidence. This may include conducting any pre-hearing conferences or communications as necessary. The Hearing Officer may assign a technical assistant or other person to organize and facilitate the Hearing process.

The Hearing Officer will simultaneously issue to the complainant and respondent a written determination regarding responsibility within twenty (20) days after the conclusion of the hearing. The determination will include:

1. The allegations of sexual harassment in the complaint or any supplemental notice.

2. A description of the procedural steps taken from receipt of the complaint, including notifications, dates of meetings or interviews, site visits, and methods used to gather evidence during the investigation, and the Hearing.
3. A statement of the standard of evidence used is the preponderance of the evidence (more likely than not that a violation has occurred).
4. Findings of fact.
5. Conclusions regarding the application of the alleged violations to the facts.
6. A statement concerning the reasoning for determining responsibility, or lack of responsibility, for each allegation of sexual harassment in the complaint or supplemental notice.
7. A statement of any disciplinary sanctions for a Determination of responsibility including rationale.
8. A statement whether remedies designed to restore or preserve equal access to a university educational program or activity will be provided to the Complainant and that the Title IX Coordinator is responsible for promptly implementing remedies. The procedures outlined for an Appeal of the Determination regarding responsibility and a statement that the Determination regarding responsibility is the final adjudication action unless Complainant or Respondent chooses to Appeal.

The full interim procedures for formal complaints of Title X sexual harassment is available at <https://equity.arizona.edu/sites/default/files/2021-08/interim-procedures-titleix-sexual-harassment.pdf>

### **Student Code of Conduct Procedures**

Upon receiving a report of dating violence, domestic violence, sexual assault, or stalking that does not meet the limited threshold for a Title IX investigation, a hearing officer will be assigned. If the hearing officer determines that a sufficient basis exists to believe that a violation may have occurred, the respondent is notified in writing of the alleged violation. The Dean of Students designee will then gather further information, if needed, by interviewing witnesses and reviewing documents. Prior to deciding whether a respondent has violated the Student Code of Conduct, the respondent will have an opportunity to respond to information gathered in the investigation. The standard of evidence used in these investigations is the preponderance of the evidence (more likely than not that a violation has occurred).

When the investigation is completed, the Dean of Students designee will determine if the complaint will be dismissed or to charge the respondent with an alleged violation of Policy and/or the Code of Conduct. If a charge is brought, the respondent will receive notice and an opportunity to respond to the allegations. After considering the response, if the respondent is found responsible for a violation and sanctioned, they may appeal the finding. An appeal hearing before the University Hearing Board will then be scheduled. No less than 20 days prior to the date set for the hearing, the respondent will receive a written notice that includes:

1. The date, time, location, and nature of the hearing
2. A written statement of the charges which specifies the allegations of misconduct in enough detail to enable the respondent to respond
3. Notice of the right to be assisted by an advisor, who may be an attorney
4. A copy of or link to the applicable Policy and/or Code of Conduct and Disciplinary Procedures; and
5. A list of the names of all Hearing Board members, and the University address of the Chair.

In student discipline cases involving charges of sex discrimination, the complainant will have the opportunity to participate in any appeal hearing or subsequent request for reconsideration by the respondent. Any available review, appeal, or request for reconsideration process provided a respondent is also available to a complainant. The complainant and respondent will be informed in



writing of the outcome of any investigation when the results become final and any change in the results prior to their becoming final.

The full Student Conduct procedures are available at <https://deanofstudents.arizona.edu/student-rights-responsibilities/student-code-conduct>.

### **Office of Institutional Equity Procedures**

Following receipt of a report, OIE will give the respondent(s) reasonable notice of a filed complaint, including the opportunity to provide information in response to the complaint's allegations. OIE may gather statements, documents, and other relevant evidence from the complainant, respondent, witnesses, and other identified individuals who have or may have information concerning the allegations in the complaint. Complainants and respondents, upon request during an investigation, may be advised of the status of the investigation.

Upon completion of an investigation, OIE will evaluate the evidence in accordance with the nondiscrimination and Anti-harassment Policy and related standards and make a finding. OIE will then issue letters to the complainant and respondent that including findings as to whether or a policy violation has occurred.

If OIE finds a policy violation has occurred, it will also issue recommendations regarding any sanctions and/or other corrective action deemed appropriate, such as education and training. In cases involving complaints where discriminatory harassment is found, OIE shall make recommendations of steps reasonably calculated to end any harassment and to prevent a recurrence. OIE may also issue recommendations to prevent future incidents even if the conduct is not severe or pervasive enough to clearly establish discriminatory harassment under the policy.

A respondent whose conduct results in a finding of a policy violation and corresponding disciplinary action shall be afforded all applicable processes under the University Handbook for Appointed Personnel, Classified Staff Human Resources Policy Manual, Student Code of Conduct, Arizona Board of Regents' Policy Manual, or any other applicable processes.

The full Office of Institutional Equity procedures is available at <https://equity.arizona.edu/policies-procedures>.

### **Disciplinary Sanctions**

Sanctions may be imposed for Policy and/or Code of Conduct violations, including domestic violence, dating violence, sexual assault, and stalking. In determining the sanction, any mitigating or aggravating factors will be considered, including any prior violations of Policy and/or Code of Conduct.

The Dean of Students may impose one or more of the following sanctions when it concerns a student respondent:

- Expulsion
- Suspension
- Degree Revocation
- Probation
- Warning
- Administrative hold on documentation in the Registrar's Office
- Restricted access to university property
- Restitution
- Notation on transcript

Disciplinary sanctions that may be imposed on employees include:

- Reprimand
- Demotion
- Denial of promotion
- Disciplinary probation
- Suspension without pay
- Termination of employment or from educational programs

# CAMPUS SECURITY POLICIES

## Weapons on Campus

Arizona Board of Regents policies prohibit the use, possession, display, or storage of any Weapons, Dangerous Instruments, Explosive Devices, or Fireworks, among other things, on The University of Arizona campus and all land and in all buildings owned or under the control of The University of Arizona on behalf of the Arizona Board of Regents, except as provided in Section 12-781 of the Arizona Revised Statutes. No concealed carry permit exempts a person from these policies. These policies apply to all University of Arizona students, employees, visitors, and guests.

Arizona Board of Regents Policy provides the following exception: "Use, possession, display, or storage (of weapons) is specifically authorized by an Arizona or federal statute governing law enforcement officers."

Arizona Board of Regents Policies definitions:

- **Weapon:** Refers to any object or substance designed to (or which could be reasonably expected to) inflict a wound, cause injury, incapacitate, or cause death, including, without limitation, all firearms (loaded and unloaded, simulated and real), devices designed to expel a projectile (such as bb guns, air guns, pellet guns, and potato guns), swords, knives with blades of 5 inches or longer, martial arts weapons, bows and arrows, and chemicals such as tear gas, but personal safety devices as defined (see below) are not included in the definition of "weapon."
- **Dangerous Instrument:** Means anything that under the circumstances in which it is used, attempted to be used, or threatened to be used is readily capable of causing death or serious physical injury.

## Personal Safety Devices Permitted on UA Property

In accordance with the Arizona Board of Regents Policies, the following personal safety devices are permitted on University of Arizona property:

- Over the counter, commercially available electroshock devices, including conducted electrical weapons designed to protect personal safety from physical attacks by other people
- Over the counter, commercially available chemical repellants designed to protect personal safety from physical attacks by other people
- Blades of less than 5 inches
- Tactical pens
- Hi-Intensity tactical flashlight or strobe devices
- Personal alarms, including hi-volume, audible, alert/alarm devices (may include visual and audio effects)
- Expandable or fixed batons no longer than 26" in total length

- Over the counter, commercially available keyring defensive tools
- If someone wishes to have a device or item added to this list, please provide the following information in writing to UAPD:
  - Name of requesting individual.
  - Contact information for requesting individuals, including mailing address, email address, and telephone number.
  - A detailed description of the proposed personal safety device or item to be included on this list.
  - A detailed statement of the rationale for the inclusion of the personal safety device or item on this list.

Direct requests to:

Office of the Chief of Police  
The University of Arizona Police Department  
1852 E. First Street  
Tucson, AZ 85721

## Workplace Violence

The University of Arizona is committed to providing a safe and secure workplace for all employees, students, and visitors. The University policy prohibits any form of violence by or against any employee, student, vendor, or visitor to the University. Violating this policy will result in disciplinary action up to and including dismissal as unacceptable personal conduct and may also result in criminal prosecution.

Employees and students should report all incidents of workplace violence to the University of Arizona Police Department by dialing 9-1-1, to their immediate manager or supervisor, and the Division of Human Resources. The University will, to the extent possible, handle reports of workplace violence confidentially, except to the extent necessary to communicate to individuals who need to know pertinent information so that they may take appropriate action. The University also may be required to report such incidents to comply with state and federal laws and regulations. The University will be sensitive and responsive to the potential for fear of reprisal by employees or students who report threats or acts of violence.

# ALCOHOL & DRUG USE POLICIES

## Alcohol Policy

The University recognizes that the legal use of alcoholic beverages is a matter of personal choice. The University requires that those who choose to drink on University property abide by state law and University regulations and expect that such individuals will conduct themselves responsibly. Arizona law prohibits the distribution, possession, or consumption of alcoholic beverages by any person under the age of 21.

Consumption of alcoholic beverages by persons of legal drinking age is permitted as follows:

- Within student living quarters under the specific terms of that living environment; and
- Within designated limited-access areas on university property when said areas have been so identified and are used according to an authorization approved by the appropriate University authority.

Authorization to serve or sell alcohol on university property shall be by permission of the President, or his/her designee, pursuant to ABOR Policy 5-108(B), whose decision shall be final. The authorization shall be by a written agreement containing the parameters of such authorization and appropriate provisions regarding liquor licensing, indemnification, liquor liability insurance, and other insurance/surety requirements as may be required by the University's Risk Management Services. The UA alcohol permit application is available at <https://union.arizona.edu/alcohol/>.

## **Drug Policy**

The University prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on its property or as part of any of its activities. Further, the University prohibits employees while on duty from consuming or being under the influence of (a) alcoholic beverages or (b) a controlled substance not prescribed for the employee by the employee's health care provider.

University of Arizona students and employees are subject to all applicable drug and alcohol policies, including policies set forth in the Classified Staff Human Resources Policy Manual, University Handbook for Appointed Personnel, Arizona Board of Regents Code of Conduct, the University of Arizona Alcohol Policy and Regulations, and other applicable rules as adopted.

## **Drug-Free Schools and Communities Act**

Under the Drug-Free Workplace Act of 1988 (41 U.S. Code, Section 8102) and the Drug-Free Schools and Communities Act of 1989 ("Act") (20 U.S. Code, Section 3181 et. seq.), "no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program," unless it has adopted and implemented a program to prevent the use of illicit drugs and abuse of alcohol by students and employees. Additional information on the University's Drug-Free Schools and Campuses policies and programs is available online at <https://drugfree.arizona.edu/>

## **Arizona Medical Marijuana Act**

Arizona voters approved the Arizona Medical Marijuana Act in 2010 and the Smart & Safe Arizona Act in 2020. These acts permit individuals to possess and use limited quantities of marijuana. However, because of its obligations under the federal Controlled Substances Act, the University will continue to prohibit marijuana possession and use for any purpose on campus.

Students and employees who violate the policies outlined in the Policy and Prohibition section of this email will continue to be subject to disciplinary action.

University policy does not prohibit medical research projects involving marijuana from being conducted on campus as authorized by applicable University or federal authorities, which may include the Food and Drug Administration, the Drug Enforcement Administration, and the National Institute on Drug Abuse.

## **Health Risks**

Alcohol and other drugs used in excess over time can produce illness, disability, and death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use, or more subtle and long-term, such as liver deterioration associated with the prolonged use of alcohol. Other concerns relating to substance abuse include the following:

- People who abuse alcohol and other drugs often have erratic lifestyles which interfere with sleep, nutrition, and exercise.
- Alcohol and substance abuse may lead to financial difficulties, domestic violence, deterioration of the family structure, motor vehicle accidents, and a decline in job performance.
- Repeated abuse of alcohol and other drugs can lead to dependence.

## Sanctions

- Local, state, and federal laws make illegal use of drugs and alcohol serious crimes. A conviction can lead to imprisonment, fines, and assigned community service.
- In order to ensure fair and consistent treatment of all students or employees who are accused of illegal use of drugs or alcohol, the University will handle all such cases that come to its attention in accordance with applicable policies and procedures of the Arizona Board of Regents and the University (e.g., Student Code of Conduct and Student Disciplinary Procedures, Staff Rules of Conduct and Disciplinary Action, ABOR Code of Conduct) and where appropriate, local, state, and federal laws and regulations
- Sanctions will be imposed on students or employees who violate Arizona Board of Regents or University drug and/or alcohol policies. Sanctions may include suspension or expulsion for students and, for employees, disciplinary action up to and including termination

## Support & Resources

If you are experiencing problems with alcohol and/or other drugs, the University campus and community resources are available to assist you.

### Students

If you are experiencing problems with alcohol and/or other drugs, campus and community resources are available to assist you. Two Campus Health Service programs can provide assistance to students with substance abuse problems. First, Counseling & Psych Services (CAPS) offers confidential short-term counseling and community referrals as needed. Second, Health Promotion & Preventive Services provides risk reduction programs for students, including individual, brief intervention through BASICS (Brief Alcohol Screening & Intervention for College Students); the SHADE (Student Health Alcohol/Drug Education) program for those in violation of UA alcohol and marijuana policies; and presentations and educational information to the campus community. These programs provide students with information on the risks of drug and alcohol abuse; contact and program information are available at <https://www.health.arizona.edu>.

- First-year UA students are required to complete the eCheck Up To Go program by the end of September, available at <https://www.health.arizona.edu/echeckup>
- Additional information on programs and resources related to alcohol, including BASICS, SHADE, the Red Cup Q&A, and The Buzz, can be found at: <https://www.health.arizona.edu/alcohol>
- If you know someone who may be struggling with alcohol or other drugs, the Friend 2 Friend website is another resource that can provide assistance: <https://friend2friend.health.arizona.edu/>

### Employees

For employees dealing with unhealthy substance use, the University offers resources to help. Life & Work Connections employee assistance counseling provides free, confidential, and voluntary information, resources, and short-term counseling for drug and/or alcohol misuse to benefits-eligible employees. Ongoing supervisor consultations regarding the signs of unhealthy substance use, ways to help affected employees, and associated University policies are available through Human Resources Organizational Consulting.

In addition, state and University health plans cover rehabilitation services for substance use disorder. Employees can speak with a primary care physician or their health carrier's member services department to learn more.

# CRIME STATISTICS

In addition to publishing this Annual Security Report, the University of Arizona submits the annual crime statistics published in this report to the U.S. Department of Education.

Sierra Vista CAST Campus - Crime Statistics						
Offense	Year	On-Campus Property	Non-Campus Property	Public Property	Total	Residential Facilities <sup>1</sup>
Murder/non-negligent Manslaughter	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Negligent Manslaughter	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Sex Offenses Rape	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Sex Offenses Fondling	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Sex Offenses Incest	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Sex Offenses Statutory Rape	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Robbery	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Aggravated Assault	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Burglary	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Motor Vehicle Theft	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A
Arson	2018	0	0	0	0	N/A
	2019	0	0	0	0	N/A
	2020	0	0	0	0	N/A

<sup>1</sup>The UA Sierra Vista CAST Campus does not have Residential Facilities



Sierra Vista CAST Campus - VAWA Statistics						
Offense	Year	On-Campus Property	Non-Campus Property	Public Property	Total	Residential Facilities <sup>1</sup>
Domestic Violence	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A
Dating Violence	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A
Stalking	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A

<sup>1</sup>The UA Sierra Vista CAST Campus does not have Residential Facilities

Sierra Vista CAST Campus - Arrest & Disciplinary Referral Statistics						
Offense	Year	On-Campus Property	Non-Campus Property	Public Property	Total	Residential Facilities <sup>1</sup>
Liquor Law Arrest	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A
Liquor Law Disciplinary Actions	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A
Drug Law Arrests	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A
Drug Law Disciplinary Actions	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A
Weapons Law Arrests	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A
Weapons Law Disciplinary Action	2018	0	0	0	<b>0</b>	N/A
	2019	0	0	0	<b>0</b>	N/A
	2020	0	0	0	<b>0</b>	N/A

<sup>1</sup>The UA Sierra Vista CAST Campus does not have Residential Facilities

## Hate Crimes

A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias is an expressed negative opinion or attitude toward a group of persons based on actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability. Before an incident can be classified as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

For Clery purposes, hate crimes include any of the following offenses that are motivated by bias: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson (as defined under “Clery Crime Definitions”) and Larceny-Theft, Destruction/Damage/Vandalism of Property, Intimidation, and Simple Assault.

Sierra Vista CAST Campus - Hate Crimes	
2018	No Hate Crimes Reported
2019	No Hate Crimes Reported
2020	No Hate Crimes Reported

### Unfounded Crimes

Under limited circumstances, the University of Arizona may remove a reported crime from its crime statistics. This may only be done when a sworn or commissioned law enforcement personnel has fully investigated the reported crime and based on the results of this full investigation and evidence, had made a formal determination that the crime report is false or baseless and has been determined “Unfounded.”

Sierra Vista CAST Campus - Unfounded Crimes	
2018	No Unfounded Crimes
2019	No Unfounded Crimes
2020	No Unfounded Crimes

### Clery Crime Definitions

For the purposes of crime statistics reporting within this report, the following definitions apply.

#### Criminal Offenses

- Murder/Non-Negligent Manslaughter – the willful (non-negligent) killing of a human being by another.
- Negligent Manslaughter – the killing of another person through gross negligence.
- Sexual Assault (Sex Offenses) – Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
  - Rape – the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. The offense includes the rape of both males and females.
  - Fondling – the touching of the private body parts of another person for the purpose of sexual gratification, without the consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - Incest – sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape – sexual intercourse with a person who is under the statutory age of consent.
- Robbery – the taking, or attempt to take, anything of value in the care, custody, or control of a person or persons by force or the threat of force or violence and/or 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 a means likely to produce death or great bodily harm.
- Burglary – the unlawful entry of a structure to commit a felony or a theft.
- Motor Vehicle Theft – the theft or attempted theft of a motor vehicle.
- Arson – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

## **VAWA Offenses**

- Dating Violence - violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be based on the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition –

- Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse.
  - Dating Violence does not include acts covered under the definition of domestic violence.
- Domestic Violence – a felony or misdemeanor crime of violence committed by:
  - A current or former spouse or intimate partner of the victim.
  - A person with whom the victim shares a child in common.
  - A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
  - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Sexual Assault - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

For the purpose of this definition:

- Rape – the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim
  - Fondling – the touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.
- Stalking – engaging in a course of conduct directed at a specific persons that would cause a reasonable person to:
  - Fear for the person’s safety or the safety of others; or
  - Suffer substantial emotional distress.

For the purpose of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts 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 persons, or interferes with a person’s property.
- Reasonable persons means a reasonable person under similar circumstances and with similar identities of the victim.
- Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

### **Arrest and Disciplinary Referrals for Violations of Weapons, Drug Abuse, and Liquor Laws**

- Arrest – for Clery Act purposes is defined as persons processed by arrest, citation, or summons.
- Disciplinary Action – the referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in imposition of a sanction.
- Weapons: Carrying, Possessing, etc. – the violation of laws or ordinances dealing with weapons offenses, such as manufacture, sale, possession, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possession weapons; all attempts to commit any of the aforementioned.
- Drug Abuse Violations – the violation of laws prohibiting the production, distribution, and/or use of controlled substances and the equipment or devices utilized in their preparation and/or use including the violation of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and the making of narcotic drugs. The relevant substances include opium or cocaine and other derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- Liquor Law Violations – the violation of state and local laws or ordinances prohibiting the manufacture, sale, transportation, furnishing of, or possession or use of, intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor; and attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition)

### **Hate Crime**

A Hate Crime is a criminal offense committed that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

Although there are many possible categories of bias, under the Clery Act, the following eight (8) categories are reported:

- Race - A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, Blacks or African Americans, whites.
- Religion - A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- Sexual Orientation - A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- Gender - A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- Gender Identity - A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- Ethnicity - A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry.
- National Origin - A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- Disability - A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

In addition to the Criminal Offenses defined above, the following offenses are included in Clery Act statistics if they are Hate Crimes:

- Larceny/Theft - the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.
- Simple Assault - an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- Intimidation - to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

- Destruction/Damage/Vandalism of Property - to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### **Arizona Revised Statutes Definitions**

- Dating Violence- Arizona Revised Statutes do not define Dating Violence.
- Domestic Violence - Means any act that is a dangerous crime against children as defined in ARS section 13-705 or an offense prescribed in ARS sections 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies:
  - The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
  - The victim and the defendant have a child in common.
  - The victim or the defendant is pregnant by the other party.
  - The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother, or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law, or sister-in-law.
  - The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.
  - The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:
    - The type of relationship.
    - The length of the relationship.
    - The frequency of the interaction between the victim and the defendant.
    - If the relationship has terminated, the length of time since the termination.
- Sexual Assault - a person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without the consent of such person.
- Stalking - a person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:
  - Suffer emotional distress or reasonably fear that either:
    - The victim's property will be damaged or destroyed.
    - Any of the following will be physically injured:
      - The victim.
      - The victim's family member, domestic animal, or livestock.
      - A person with whom the victim has or has previously had a romantic or sexual relationship.
      - A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.
  - Reasonably fear death or the death of any of the following:
    - The victim's family member, domestic animal, or livestock.



- A person with whom the victim has or has previously had a romantic or sexual relationship.

A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

- Consent - Arizona Revised Statutes do not define consent. It does, however, define “without consent”.
- Without Consent – means any of the following:
  - The victim is coerced by the immediate use or threatened use of force against a person or property.
  - The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep, or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant.
  - The victim is intentionally deceived as to the nature of the act.
  - The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

#### **“CONSENT” under ABOR Student Code of Conduct:**

- Consent - in the context of sexual activity means informed and freely given words or actions that indicate a willingness to participate in mutually agreed upon sexual activity.

Consent may not be inferred from:

- silence, passivity or lack of resistance,
- a current or previous dating or sexual relationship,
- acceptance or provision of gifts, meals, drinks, or other items or
- previous consent to sexual activity.

Consent may be withdrawn during sexual activity. Consent to one form of consensual sexual activity does not imply consent to any other form of sexual activity.

Consent may not be obtained through physical force, violence, duress, intimidation, coercion, or an express or implied threat of injury.

Consent may never be given by a person who is: incapacitated (by drugs, alcohol, or otherwise), unconscious, asleep, or otherwise physically or mentally unable to make informed rational judgments. The use of alcohol or drugs does not diminish one’s responsibility to obtain consent and does not excuse conduct that violates this Student Code of Conduct.

Consent cannot be given by someone who, by virtue of age, circumstances, or other factors, is deemed by law to be incapable of giving consent.

#### **The University student code of conduct defines sexual misconduct, stalking, and disciplinary referral as:**

- Sexual Misconduct - means one or more of the following:
  - Sexual violence and other non-consensual sexual contact-actual or attempted physical sexual acts perpetrated against a person by force or without consent; or
  - Sexual harassment – unwelcome conduct of a sexual nature that is sufficiently severe or pervasive as to create an intimidating, hostile, or offensive environment; or
  - Other unwanted or non-consensual sexual conduct including but not limited to indecent exposure, sexual exploitation or voyeurism, or non-consensual photographing or audio

recording or video recording of another in a state of full or partial undress or while engaged in sexual activity or publishing or dissemination such material.

- Stalking - engaging in a course of conduct that is directed toward another person if that conduct would cause a reasonable person to suffer substantial emotional distress or to fear for the person's safety or the safety of that person's immediate family member or close acquaintance, and that person in fact fears for his/her safety or the safety of that person's immediate family member or close acquaintance.
- Disciplinary Referral - the referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in the imposition of a sanction.

## Clery Geography Definitions

For the purpose of crime statistics reporting, the following geographical definitions apply:

- On-Campus Property - any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used in direct support of, or in a manner related to the University's educational purposes, including residence halls; and any building or property owned by the University that is within the reasonably contiguous geographic area of the main campus but controlled by another person, is frequently used by students, and supports the University's educational purposes.
- Non-Campus Property – any building or property owned or controlled by a student organization that is officially recognized by the University; or any building or property owned or controlled by the University that is used in direct support of, or in relation to, the University's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the University.
- Public Property – all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- On-Campus Student Housing Facility/Residential Facilities – any student housing facility that is owned or controlled by the University or is located on property that is owned or controlled by the University and is within the reasonably contiguous geographic area that makes up the main campus.



# ADDITIONAL RESOURCES

In Arizona, crime victims have a constitutional right to be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse through the criminal process. All state, county, and municipal justice agencies and courts in Arizona are required to perform certain duties to ensure that victims have their rights protected.

A victim's legal rights do not begin until an arrest has been made or charges have been filed. Some rights are given to victims automatically and some rights need to be requested. A law enforcement officer will provide victims with a form that asks you about requesting or waiving rights. A decision to request or waive rights does not mean that a victim cannot change those choices later. To request a copy of the full text of Arizona victims' rights laws, contact:

Arizona Attorney General, Office of Victim Services  
<https://www.azag.gov/criminal/victim-services>  
866-742-4911

## Reporting Options

Arizona Department of Public Safety  
<https://www.azdps.gov/>  
602-223-2000

Sierra Vista Police Department  
<http://www.sierravistaaz.gov/city-departments/police/>  
520-452-7500

University of Arizona Police Department  
<https://uapd.arizona.edu>  
9-1-1 (emergency, on-campus)  
520-621-8273 (non-emergency)

## University Complaints and Reports

Office of Institutional Equity  
<https://equity.arizona.edu>  
520-621-9449

Title IX Director  
Mary Beth Tucker  
[mtucker@arizona.edu](mailto:mtucker@arizona.edu)  
520-621-7286

## UA Resources

Campus Health Services  
<https://health.arizona.edu>  
520-621-6490 / After-Hours number: 520-626-2051

Counseling and Psych Services (CAPS)  
[www.health.arizona.edu/counseling-and-psych-services](http://www.health.arizona.edu/counseling-and-psych-services)  
520-621-3334

Bursar's Office

<https://bursar.arizona.edu/>

520-621-3232

Dean of Students Office - Robert L. Nugent Building

<https://deanofstudents.arizona.edu/>

520-621-7057

International Student Services

<https://global.arizona.edu/iss>

(520) 621-4627

### **Sierra Vista Area Resources**

Sierra Vista Domestic Crisis Shelter

<https://www.domesticshelters.org/help/az/sierra-vista>

520-458-9096

Cochise County Attorney Victim Witness Program

<https://www.cochise.az.gov/county-attorney/victim-witness-program>

520-432-8700

Cochise County Sheriff's Department

<https://www.cochise.az.gov/sheriff/home>

520-803-3850

Sierra Vista Police Department Community Services

<https://www.sierravistaaz.gov/city-departments/police/>

520-452-7500

Southeastern Arizona Behavioral Health Services Crisis Line

<https://www.seabhs.org/>

800-495-6735

### **Nogales Area Resources**

Santa Cruz County Attorney's Victim Services

<https://www.santacruzcountyaz.gov/156/Victim-Services>

520-281-5868

Nogales Police Department

<https://www.nogalesaz.gov/administration/police-department>

520-287-9111

Horizon Health Services

833-431-4449

### **Douglas Area Resources**

Douglas Police Department Community Services

<https://www.douglasaz.gov/255/Police-Department>

520-417-7550

House of Hope Domestic Crisis Shelter  
520-364-2465

### **Yuma Area Resources**

Amberly's Place  
<https://www.amberlysplace.com/>  
928-373-0849

Arizona Western College Police/Crisis Referral  
928-376-0026

Community Health Associates Crisis Support Services  
<https://www.chaarizona.com/>  
928-376-0026

### **Other Resources**

Arizona Sexual Violence Prevention & Education Program  
<http://azrapeprevention.org/>  
602-542-7343

Arizona Coalition to End Sexual and Domestic Violence  
[www.acesdv.org](http://www.acesdv.org)  
800-782-6400

The National Domestic Violence Hotline  
<https://ncadv.org/>  
800-799-7233

Rape, Abuse and Incest National Network (RAINN)  
<https://www.rainn.org>  
800-656-4673