

# **Saint Mary's College of California**

## **2007 Crime Statistics Report and College Safety Information**

### **Department of Public Safety**

**Questions and inquires should be directed to:  
Chief of Public Safety  
(925) 631-4052**

**Emergency: Dial 9-911 or (925) 631-4282 (24 hours)**

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# **2007 Crime Statistics and College Safety** **Information Report**

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## **2007 CRIME STATISTICS AND COLLEGE SAFETY INFORMATION REPORT**

### **DEPARTMENT OF PUBLIC SAFETY MISSION STATEMENT**

The Saint Mary's College Department of Public Safety strives to provide the best possible public safety services to the College community. The Department works to enhance safety and services and to gain the support of students, staff, faculty, alumni and supporters, encouraging all to get involved in the safety of the campus. The Department provides motivation, training and career development for its employees, establishing and maintaining cooperative working relationships with other law enforcement agencies- local, state and national. Projecting enthusiasm, we demonstrate leadership and professionalism and continue to be dedicated to all of the above.

In compliance with Public Law 101-542, the federal Campus Security Act and the Jeanne Clery Act, the following information is made available to all students, staff and interested persons.

1. Saint Mary's College of California provides reasonable safety and security 24 hours-a-day. Anyone may report crimes or emergencies by dialing 9-911 directly, or calling extension 4282 on campus, or using one of the many on-campus emergency ("Blue Light") telephones around the College and in the parking lots, or by reporting in person to the front gate Security Station.

Dispatchers are available at 9-911 or 4282, 24 hours a day to answer your call. In response to a call, the Department of Public Safety will take the required action, dispatching an officer or asking the victim to report to the Department of Public Safety to file an incident report. All reports involving students are forwarded to the Director of Community Life for review and potential action. If assistance is required or requested from the Town of Moraga Police Department or the Moraga-Orinda Fire Department, the Department of Public Safety will contact the appropriate unit.

The College community is encouraged to report all crimes and safety-related incidents to the Department of Public Safety. Pastoral counselors and professional counselors, if and when they deem it appropriate, are encouraged to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for the inclusion in the annual disclosure of crime statistics. While the College does not have an established policy or specific procedure for anonymous reporting of crimes or College policy violations, the Department of Public Safety does respond, to the extent possible, to the anonymous reporting of alleged incidences. If you are the victim of a crime and do not want to pursue action within the College Disciplinary System or the criminal justice system, you may still want to consider making an anonymous report to the Department of Public Safety. The purpose of an anonymous report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of

the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the College community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. These reports can be made by letter, e-mail to [psadmin@stmarys-ca.edu](mailto:psadmin@stmarys-ca.edu), or telephone (925-631-4282).

2. Saint Mary's College is private property. However, visitors and the public are welcome. Visiting hours for residence halls and policies for use of the halls are available in the Housing Contract and Undergraduate Student Handbook ([http://smcnet.stmarys-ca.edu/campus\\_life/handbook](http://smcnet.stmarys-ca.edu/campus_life/handbook)). Facilities not in use or supervised are normally secured.

Academic buildings are normally open between the hours of 7:00am and 10:00 pm Monday through Sunday during the academic school year. Individual rooms maybe open or locked at anytime depending upon academic needs and prior reservations.

Central campus residence hall entrances or hallways are locked 24 hours a day. The College's Residence Life Policy makes each student responsible for his/her own keys to campus buildings. All College resident students are issued keys and are responsible for locking rooms and taking their keys with them to re-enter. All student residences have locking doors. Students are not permitted to make duplicate keys and unauthorized possession or use of College keys is prohibited.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Department of Public Safety personnel regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to the Physical Plant for correction. Other members of the College community are helpful when they report equipment problems to the Physical Plant.

3. The College Public Safety Officers are not sworn officers. The College officers have the authority to investigate incidents and make arrests under California Penal Code 837. The College has the authority to stop and detain persons on campus for investigation and questioning concerning illegal/suspicious activities occurring on our campus and to contact Moraga Police for follow-up.
4. The Department of Public Safety distributes crime prevention, safety and security information at registration, during the six student orientations, in residence halls rooms and at safety meetings, and on campus bulletin boards. General crime prevention programs include Sexual Assault Awareness, Personal Safety Tips, Residence Hall Safety Tips, Vehicle and Parking Safety. The Moraga Police Department, and other off-campus organizations,

periodically conducts safety and security presentations on campus. During 2007 there were more than 65 crime prevention/safety presentations made.

5. The Office of Community Life maintains all student disciplinary matters, including records of all sexual assaults, sexual harassment and inappropriate sexual conduct reports and all reports of other behavior that are referred to the College's discipline process. Such disciplinary matters are referred to this office by various campus constituencies, including the Office of Residence Life, the Department of Public Safety, and from time to time, referral by campus individuals.

The Department of Public Safety, in liaison with the Office of Community Life, compiles information and statistics regarding both criminal and disciplinary incidents. This information is for the previous calendar year based upon crimes and incidents reported to or received by the Department of Public Safety, the Office of Community Life, and from crime statistics received from the Town of Moraga Police and the East Bay Regional Park District Police. This combined information is submitted to the Chief of the Department of Public Safety for reviewed and processing, and then submits the information in accordance with the established reporting guidelines to the Department of Education. Upon submission of this information to the Department of Education, the Chief prepares a written Report that is maintained in the Department of Public Safety, as well as posting its availability outside the main dining hall (Oliver), outside Ferroggiaro Hall, in the lobby of the Public Safety Office and published on the Saint Mary's web site (<http://www.stmarys-ca.edu/about/safety/02report.pdf>). All of the statistics are gathered, compiled and reported to the College community via the Annual Security Report published by the Department of Public Safety. A copy of a notice of the availability of the annual report is mailed to every enrolled student and current employee on an annual basis.

In an effort to provide timely notice and in the event of a serious incident which may pose a threat to members of the Saint Mary's College community, the Department of Public Safety will notify the college community using one or more of the following options: The College's email system, the student newspaper, staff/faculty newsletter and/or via special printed memo for distribution on the on-campus bulletin boards. Posted bulletins are usually distributed for the following classifications: arson, aggravated assault, criminal homicide, robbery, and sex offenses. The notice may also be distributed for other classifications as deemed appropriate.

Although information contained in the annual report also includes information about on campus and off campus resources, the official reporting entity for criminal offenses that occur at Saint Mary's College is the Department of Public Safety. Reporting incidents to the Department of Public Safety will aid in providing timely warning notices to the community, when appropriate and

will ensure inclusion of the reported incident in the annual disclosure of crime statistics for the institution.

A daily crime log is available for review during normal College business days (Monday – Friday 8:30 am – 4:30 pm) at the Department of Public Safety Administrative Offices at 111 Assumption Hall. The information in the crime log typically includes the nature, date, time, general location and disposition of each crime.

6. Saint Mary's College does not have any officially recognized student organizations that have housing facilities off-campus.
7. The Saint Mary's College alcohol and other drugs policy adheres to the laws of the State of California regarding the possession, sale and consumption of alcohol. SMC policies and information on alcohol and drug abuse education programs is in the 2008/2009 Undergraduate Student Handbook pages 35 - 45 and 55 - 59, and reads as follows:

## **ALCOHOL AND OTHER DRUGS**

Saint Mary's College is an educational and social community within which students, faculty, staff, alumni, and their guests interact in a wide variety of activities. The Saint Mary's College Alcohol and Other Drugs Policy is intended to allow the responsible and legal use of alcohol under certain conditions (noted below) for those over 21 years of age and to prohibit the use of illicit and illegal drugs. This Policy seeks to promote an atmosphere conducive to the pursuit of learning, and applies to all individuals associated with the College including students, faculty, staff, alumni, and their guests. Additionally, private sponsors and their guests who use the College facilities are required to comply with this Policy.

### **Health Risks Associated with the Use of Alcohol and Other Drugs**

Some of the health risks associated with alcohol and other drug use are specified below.

1. **Alcohol:** Contrary to popular belief, not all college students drink alcohol excessively. Many have never consumed alcohol and others choose to drink moderately, or not at all. Individuals should consider the consequences and make responsible decisions when it comes to the use of alcohol.

You do not have to be an alcoholic to have a drinking problem. One night of excessive drinking can result in alcohol poisoning. On the average, your body can only process one ounce of alcohol per hour (approximately one regular-sized drink). Drinking too much too quickly raises your blood alcohol content to the point where your body cannot effectively process the alcohol, leading to overdose and possibly coma or death.

When you drink too much, your capacity to process information and make safe decisions is impaired. This places you at an increased risk for sexual assault and other violent behavior, exposure to sexually transmitted diseases, driving under the influence, and physical injury. Misusing alcohol can also have a negative impact on academic success, work performance, friendships and family relationships.

Numerous health risks are associated with drinking. Alcohol intensifies the effects of over-the-counter medications or other drugs, which may cause physical damage to the body. Long-term excessive drinking can lead to a variety of health problems such as: decreased brain function; impaired sensation, perception, coordination, reflexes, and judgment; memory lapses or blackouts, organ damage, and addiction. Research indicates that adult children of alcoholics have as much as a four to six times greater risk of becoming an alcoholic or having a problem with other drugs.

2. **Marijuana:** Immediate effects of THC (marijuana's active ingredient) vary greatly with the person, setting, dose, and expectation of the user. Marijuana can make it harder to function and succeed in an academic setting particularly when tasks require close attention and thoughtful decision-making. Using marijuana may impair your short-term memory, reading comprehension, and capacity to solve verbal and mathematical problems. Uncomfortable feelings such as paranoia and panic are often experienced with marijuana. Additionally, regular use may lead to a motivational syndrome consisting of listlessness, fatigue, inattention, withdrawal and apathy making it rather difficult to achieve your academic and personal goals.

Coordination is greatly effected by marijuana use since it slows reflexes and impairs visual perception. Driving while under the influence (or being driven by someone else under the influence) can be as dangerous as driving under the influence of alcohol. Regular use can lead to a variety of health problems such as elevated blood pressure and decreased body temperature; irritation of the mouth, throat, and lungs, and aggravation of asthma, bronchitis, and emphysema; chronic lung disease and cancer. Additionally, marijuana can lead to a positive drug test for as long as three months after your last use.

3. **Tobacco:** The ingestion of nicotine through cigarette smoking is highly toxic, addictive, and can result in emphysema and cancer. Emphysema destroys the lung's capacity to expand and contract which causes decreased oxygen intake leading to organ damage. Smoking has been linked to cancers of the lung, mouth, throat, pancreas, cervix, kidney, and bladder. Smoking cigarettes can also affect the health of non-smokers. Environmental tobacco smoke contains many of the toxic substances the smoker inhales. Chewing tobacco and snuff are **not** safe alternatives to cigarettes. They are highly addictive, contain more nicotine than cigarettes, and cause rapidly spreading cancers of the mouth, head, and neck.
4. **Ecstasy (MDMA):** Although Ecstasy (MDMA) has been publicized as a "feel good" designer drug, it is actually a hallucinogenic-amphetamine that can lead to a variety of physical problems such as cardiac difficulties, dangerously high body

temperature, severe thirst and heat exhaustion, sensory distortion and heightened arousal. Even with limited use, it can permanently alter serotonin levels in your brain, which can increase the risk of chronic depression.

5. **Steroids:** Anabolic steroids are synthetic versions of the male hormone testosterone. Used medically to supplement normal hormonal levels after injury or disease, others use steroids to increase muscle mass, reduce body fat, and enhance endurance. Steroid use can lead to a variety of health problems such as: liver disease and cancer; testicular atrophy, breast reduction, failure of secondary sex characteristics, sexual dysfunction, sterility, impotence, or fetal damage; acne, growth problems, or bone fusion. Psychological problems include aggression, violence, and uncontrolled anger (“roid rage”), rapid mood swings, and psychotic episodes.
6. **Cocaine:** Cocaine is a potent drug with effects that begin almost instantly. Cocaine use can lead to many health problems, such as damaged nasal tissues, kidney damage, or stroke; diseases of the lung, heart, and blood vessels; malnutrition, cardiac arrhythmia, convulsions, seizures, suppression of respiration, or sudden death. Psychological difficulties include intense anxiety and anger, restlessness, fear, paranoia, depression, and hallucinations. The effects of increased adrenaline fade fast resulting in a desire for more, which increases the risk of repeated use and addiction.
7. **LSD:** LSD dramatically alters normal mental and emotional processes. Initial effects are mostly physical: dilated pupils, muscular weakness, rapid reflexes, decreased appetite, and increased blood pressure and body temperature. Subsequently, LSD scrambles your brain chemistry, significantly distorting thought and sensation, which results in unusual or frightening hallucinations. LSD can trigger more serious problems for individuals with a history of emotional difficulties or psychological problems. Effects may recur days or weeks later without further use (flashbacks).
8. **Amphetamines:** Amphetamines speed up the brain and nervous system. Even limited use can lead to many physical and emotional effects including increased heart rate and blood pressure; heart, brain, and lung damage, chronic fatigue and malnutrition. Psychological effects include anxiety, depression, mood swings, hallucinations, paranoia and psychosis.
9. **Heroin:** In recent years the potency of heroin has increased making it easier to achieve similar effects without injection. This has led to more individuals experimenting by snorting and smoking heroin. Regardless of the type of use, tolerance increases quickly resulting in a rapid addiction process as well as heightened physical cravings. Heroin use can lead to many physical effects such as: drowsiness and loss of appetite, addiction with severe withdrawal symptoms, impaired mental functioning, slowing of reflexes and physical activity; infection, hepatitis, and HIV (from needle sharing), or death from overdose.

**10. Predatory Drugs:** These drugs are given to another person without their awareness of it, usually by slipping them into a drink. Rohypnol, better known as roofies, is a potent tranquilizer that is notorious for its use in sexual assaults. It is usually slipped into a drink, rendering the person helpless and immobile. Sedation occurs 20 to 30 minutes after administration and leaves the person feeling drowsy, dizzy, and disoriented. In addition to these sedative effects, impaired balance and/or speech, and memory loss are common.

Like rohypnol, GHB has also been associated with sexual assault. In its clear liquid form, it can easily be slipped into someone's drink undetected. Effects of the drug can be felt in 15-20 minutes and also include dizziness, heavy drowsiness, and confusion. Some people use GHB to enhance the effects of alcohol or other drugs. This combination can be especially life-threatening. GHB use can lead to a variety of physical problems such as dizziness, nausea, breathing problems, memory loss, seizures, unconsciousness, and in some cases, death.

Originally used as an animal tranquilizer, ketamine is now used as a club drug due to its hallucinogenic effects. Many serious negative effects can result from use including vomiting, numbness, loss of muscle control, paranoia, and aggression. In larger doses, effects may include convulsions, decreased oxygen to the brain, coma and even death. Individuals who use ketamine are at increased risk for sexual and physical assault since their loss of muscle control and mental state make them unable to combat assault.

### **Educational Programs and Resources for Assistance**

Saint Mary's College strives to create a campus environment that minimizes risks associated with alcohol and other drug use. In order to promote the well being of the College community, and in compliance with the Drug-Free Schools and Communities Act (34CFR Part 86, Subpart B, 1989), educational programs regarding alcohol and other drugs are provided. These programs address problems associated with alcohol and other drug misuse, coping with peer pressure, risk reduction, development of healthy lifestyles, stress management, and identifying and helping others with alcohol and other drug problems.

The College offers services for College employees and students regarding issues related to alcohol and other drug use. Those concerned about a person's life and health relative to alcohol and other drug use are urged to seek available resources. Students are encouraged to seek assistance from the Counseling Center and Health and Wellness Center for evaluation and/or referral. Information obtained regarding a student or employee during participation in such programs or services will be treated as confidential, in accordance with federal and state laws.

### **Campus Resources**

Alcohol and Other Drug Education & Evaluation Services 925-631-4364  
Alcohol Review Committee.....925-631-4704  
Campus Ministry.....925-631-4366

Counseling Center.....	925-631-4364
Associate Dean of Student Life .....	925-631-4236
Health and Wellness Center.....	925-631-4254
Public Safety .....	925-631-4282
Student Leadership & Involvement Office.....	925-631-4704
Student Life .....	925-631-4235

**Community Resources**

Al-Anon/Alateen.....	925-932-6770
Alcohol Beverage Control .....	510-622-4970
Alcoholics Anonymous .....	925-939-4155
Marijuana Anonymous.....	510-287-8873
Moraga Police Department .....	925-376-2515

**Legal Statutes**

Students, faculty, staff, administration, alumni, and guests of Saint Mary’s College are responsible for the observance of applicable laws and local ordinances or codes with respect to alcoholic beverages and illegal drug use. These laws prohibit the consumption of alcoholic beverages by anyone under 21 years of age. Additionally, it is unlawful to sell, purchase, deliver, or furnish alcoholic beverages to anyone under 21 years of age or to any obviously intoxicated person.

In accordance with the Drug-Free Schools and Communities Act of 1989, the applicable laws are listed below to indicate the types of conduct that are in violation of statutes and the range of legal sanctions that can be imposed. This is not intended to be a comprehensive list of all applicable laws regarding alcohol beverage use, as other statutes may apply.

**Federal Statutes**

1. The manufacture, sale or distribution of all scheduled illicit drugs constitutes a felony. (21U.S.C. §841)
2. Scheduled drugs include the various narcotics, barbiturates, amphetamines, cocaine, cannabis, hallucinogens, and synthetic drugs, e.g. PCP, MPTp, MDMA. (21 U.S.C.§812)
3. Simple possession of controlled substances can be punished by civil fines of up to \$10,000 per violation and a jail sentence. (21 U.S.C.§§844 and §844a)
4. Distribution or possession with intent to distribute a controlled substance on College property requires a sentence enhancement of up to twice the prescribed sentence for the original offense and at least twice the prescribed amount of parole time. This provision also calls for a mandatory sentence of not less than one year in prison for any offense except possession of less than 5 grams of marijuana. (21 U.S.C. 853a)
5. Persons convicted of possession or distribution of controlled substances can be barred from receiving benefits, such as student loans, grants, contracts and professional and commercial licenses, except some long-term drug treatment programs. (21 U.S.C §853a)

6. Aliens convicted of a violation of any law or regulation of a state, the United States, or a foreign country are subject to deportation and exclusion from entry to the United States. (8 U.S.C. §§1182, 1251)
7. Persons who are health care providers are barred from receiving payment from federal insurance programs upon conviction of a criminal offense involving distribution or dispensing of a controlled substance. (5 U.S.C. §8902a)
8. Property, including vehicles, aircraft, money, securities, or other things of value, used in, intended for use in, or traceable to transactions that involve controlled substances in violation of federal law are subject to forfeiture to the United States. (21 U.S.C. §881)

### **California Statutes (Alcohol)**

Other than where noted, violation of the statutes below constitutes a misdemeanor or infraction with a monetary penalty and/or mandatory community service.

1. No person may sell, furnish, give, or cause to be sold, furnished or given away, any alcoholic beverage to a person under the age of 21, and no person under the age of 21 may purchase alcoholic beverages. (CA Business and Professions Codes 25658a and b)
2. It is unlawful for any person under the age of 21 to possess alcoholic beverages on any street or highway or in any place open to public view. (CA B&P Code 25662a)
3. It is unlawful to sell alcoholic beverages any place in the state without a proper license from the Department of Alcoholic Beverage Control. (CA B&P Code 23301)
4. It is unlawful for any person to drink while driving (Vehicle Code 23220) or to have an open container of an alcoholic beverage in a moving vehicle as a driver or passenger. (Veh. Codes 23222 and 23223)
5. Individuals with a blood alcohol level of .08 or higher, a driver is presumed to be under the influence of alcohol. (Veh. Code 23152; sanctions vary with number and type of offenses but can include suspension or loss of driving privileges, alcohol education program and mandatory imprisonment with fine)
6. It is unlawful for any person under the age of 21 who has a blood alcohol level of .01 or greater to drive a vehicle. (“The Zero Tolerance Law” - Veh. Code 23136; blood alcohol level of .05 or greater - Veh. Code 23140; sanctions vary with number and type of offenses but can include suspension or loss of driving privileges and alcohol education program)
7. It is unlawful to operate a bicycle on a highway while intoxicated. (Veh. Code 21200.5; this law provides that bicyclists enjoy the same rights and are subject to the same regulations as motor vehicle operators)
8. It is unlawful to be intoxicated and disorderly, defined as being in a condition where you are unable to exercise care for your own safety or the safety of others, or if you interfere or obstruct any street, sidewalk, or public way. (“Disorderly Conduct” - CA Penal Code 647f)
9. It is unlawful for a person under the age of 21 to possess or present fraudulent evidence of age and identity in order to obtain alcohol and unlawful to transfer any form of identification for the purpose of falsifying age in order to secure alcoholic beverages. (CA B&P Code 25661)

### **California Statutes (Marijuana)**

1. The cultivation (i.e. growing or harvesting), possession for sale, or sale of marijuana constitutes a felony. A felony conviction can involve serving time in a state prison. (Cal. Health and Safety Code §§11350 et seq.)
2. Possession of one ounce or more of marijuana for personal use constitutes a felony, the conviction of which could require paying a fine and/or serving time in jail. (Cal. Health and Safety Code §§11350 et seq.)
3. Possession of less than one ounce of marijuana for personal use constitutes a misdemeanor, the conviction of which could require a fine up to \$100. (Cal. Health and Safety Code §§11350 et seq.)

### **Local Statutes**

The town of Moraga adheres to the Contra Costa County Code in regard to the public consumption of alcohol.

1. It is unlawful for any person to possess an open container of an alcoholic beverage on any public street, sidewalk, parking lot, playground, or other public facility. (County Code 54-16.002; infraction subject to citation)
2. It is unlawful to possess an open container of an alcoholic beverage and remain on premises where alcoholic beverages are sold for off-site consumption or on an adjacent sidewalk or parking lot if the premises post signs indicating so. (Cty. Code 54-14.002; infraction subject to citation)

### **ALCOHOL REGULATIONS - PROHIBITED BEHAVIORS**

Whether one chooses to drink alcohol or use other drugs, members of the College community are exposed to the secondhand consequences of other's excessive use. These can range from damaged property, physical and sexual assault, and unwanted sexual advances, as well as disrupted sleep and studying, interruptions in classes, and harassment. High-risk use of alcohol and use of other drugs impacts both the quality and safety of our environment and the student's college experience.

Students and their guests are expected to abide by the Code, this Policy and state and local laws/ordinances relative to the possession, consumption and distribution of alcoholic beverages. Alleged violations of the following regulations will initiate the student discipline process:

1. Persons who are under 21 years of age may not possess or consume any alcoholic beverage or possess alcoholic beverage containers, full or empty, anywhere on campus, including in a residence hall room for the purpose of decoration. Underage students who are in locations where other underage persons are consuming or possessing alcohol will be considered to be in violation of this policy even if they do not have alcohol on their person.
2. Persons who are 21 years of age or older may possess and consume alcohol in their residence hall room but may not offer, give, provide or otherwise make alcohol available to anyone underage or to an obviously intoxicated person.
3. Alcohol may not be possessed or consumed in any public area of campus unless at a College sponsored activity at which alcohol is served in accordance with guidelines

provided for in of this Policy. A public area is defined as those areas of the campus that are readily accessible to students, faculty, staff and guests. Public areas include, but are not limited to, lounges, lobbies, stairwells, balconies, hallways, roofs, classrooms, parking lots, and outside areas.

4. The possession of kegs, “party-balls”, “beer bongs”, or similar common-source or oversized containers is not permitted on campus unless at a College sponsored activity at which alcohol is served in accordance with guidelines provided for in Part II of this Policy. A common-source of alcohol is also defined as a quantity of alcohol more than can be responsibly consumed by an individual.
5. Violating this Policy, including but not limited to being in an intoxicated state by a student and/or their guest while on-campus or by a student attending or participating in off-campus College sponsored/affiliated events is prohibited.
6. Driving a motor vehicle while under the influence of alcohol is prohibited.
7. Disorderly conduct, property destruction, violations of the rights of a roommate, intimidation or other infringements of the rights of others as a result of alcohol use is prohibited. Intoxication or alcohol abuse is not an excuse for unlawful behavior or violations of the Code or other College policies.
8. Alcohol is not permitted at athletic events or in/on College athletic facilities unless at a College sponsored activity at which alcohol is served in accordance with guidelines provided for in Part II of this Policy.
9. Students and/or their guests may not furnish or attempt to furnish false information regarding their age and/or identity in order to possess or consume alcohol.

### **College Responses**

Alleged violations of the Prohibited Behaviors will initiate the student discipline process. Sanctions will vary depending on the nature of the offense. A student’s discipline record is cumulative during his/her enrollment and applies to incidents on and off campus. However, a one-time grace is allowed for a Category I, First Offense. Such an offense will be removed from consideration of future sanctions if no further violations of alcohol regulations occur for at least one year.

1. **Category I:** underage possession or consumption of alcohol; possession or consumption in public; being present at a location where alcohol is being consumed and where it is a violation to possess alcohol; furnishing or attempting to furnish false information regarding age and/or identity; possession of a “beer bong”.
  - a. **First Offense:** education project/program, warning.
  - b. **Second Offense:** education project/program, warning/probation and \$50.00 fine.
  - c. **Third Offense:** education project/program, assessment, probation/stayed suspension/suspension, stayed residence hall suspension/residence hall suspension, \$100.00 fine and parental notification\*
  - d. **Fourth Offense:** stayed suspension/suspension, residence hall suspension/residence hall expulsion, \$250.00 fine and parental notification\*
2. **Category II:** regardless of age, student exhibits any of the following behaviors while under the influence of alcohol: intoxication, disorderly conduct, verbally disruptive or abusive, fist fights, vomiting but coherent and conscious; providing alcohol to an

underage or obviously intoxicated person; possession of kegs or other common source or over-sized containers; use of a “beer bong;” consumption of large quantities of alcohol regardless of physical appearance.

- a. **First Offense:** education project/program, warning/probation, \$100.00 fine and parental notification\*
  - b. **Second Offense:** education project/program, assessment, probation/stayed suspension, residence hall suspension, \$150.00 fine and parental notification\*
  - c. **Third Offense:** stayed suspension/suspension/expulsion, residence hall expulsion, \$250.00 fine and parental notification\*
3. **Category III:** regardless of age, student exhibits any of the following behaviors: vomiting and/or incoherent, unconscious, needed or received medical attention (including treatment by EMTs and/or transport to hospital), loss of control of bodily functions, memory loss; a pattern of alcohol abuse; driving a motor vehicle while under the influence of alcohol.
- a. **First Offense:** education project/program, assessment, probation/stayed suspension, stayed residence hall suspension/residence hall suspension, \$150.00 fine and parental notification\*
  - b. **Second Offense:** stayed suspension/suspension/expulsion, residence hall suspension/expulsion, \$250.00 fine and parental notification\*

*\*Generally, only the parents/guardians of those students under the age of 21 will be notified in these cases. Please refer to the Parental Notification Policy for further explanation of this policy.*

## **Illegal Drugs Regulations**

### **Prohibited Behaviors**

Students are expected to abide by the Code, this Policy and federal, state and local laws/ordinances relative to the illegal possession, use or distribution of controlled substances, illegal drugs and drug paraphernalia. Alleged violations of the following will initiate the student discipline process.

1. The possession, use, sale, distribution or manufacture of any controlled substance, illegal drug and/or drug paraphernalia or the association with gatherings involving such possession, use or distribution on the campus or at College sponsored events is prohibited. Drug paraphernalia includes, but is not limited to, bongos, pipes, hookahs, water pipes, “whip-its” and roach clips. Students who are in locations where any controlled substance and/or illegal drug is being used will be considered in violation of this Policy even if they do not have the substance and/or drug on their person.
2. Possession of large quantities and/or the actual, or attempted sale, distribution or manufacture of any controlled substance, illegal drug and/or drug paraphernalia on the campus or at College sponsored events is prohibited.
3. The illegal use of prescription or other legal drugs is prohibited.
4. Driving a motor vehicle while under the influence of illegal drugs or controlled substances is prohibited.

## College Responses

Any student who is found responsible for violating the Code or this Policy will be subject to the imposition of sanctions as defined below. The sanctions listed are minimums; there may be additional sanctions based on other violations of the Code or College policy, the severity of the incident, the impact upon the community and the student's discipline record. These descriptions apply to all students regardless of age.

1. **Category I:** Possession of drug paraphernalia or objects that could be used as drug paraphernalia; being in a location where controlled substances and/or illegal drugs are present.
  - a. **First Offense:** education project/program, warning and \$50.00 fine
  - b. **Second Offense:** education project/program, assessment, probation/stayed suspension, stayed residence hall suspension/residence hall suspension, \$150.00 fine and parental notification\*
  - c. **Third Offense:** education project/program, stayed suspension/suspension, residence hall suspension/residence hall expulsion, \$250.00 fine and parental notification\*
2. **Category II:** Possession and/or use of any controlled substance or illegal drug regardless of quantity, including residue; illegal use of prescription or other legal drugs
  - a. **First Offense:** education project/program, assessment, probation/stayed suspension, stayed residence hall suspension/residence hall suspension, \$100.00 fine and parental notification\*
  - b. **Second Offense:** education project/program, stayed suspension/suspension, residence hall suspension/residence hall expulsion, \$250.00 fine and parental notification\*
  - c. **Third Offense:** expulsion and parental notification\*
3. **Category III:** Possession of large quantity and/or the actual or attempted sale, distribution or manufacture of any controlled substance, illegal drug and/or drug paraphernalia, driving a motor vehicle while under the influence of illegal drugs or controlled substance.
  - a. **First Offense:** suspension/expulsion, residence hall expulsion, \$250.00 fine and parental notification\*
  - b. **Second Offense:** expulsion and parental notification\*

*\*Generally, only the parents/guardians of those students under the age of 21 will be notified in these cases. Please refer to the Parental Notification Policy for further explanation of this policy.*

## Guidelines for Student Sponsored Events

The Alcohol Review Committee (925-631-4704) approves all student-sponsored events at which alcohol will be present. The committee consists of up to seven (7) members (staff, faculty, and students) and is chaired by a member of the Student Involvement and Leadership (SIL) staff. Membership on the committee is determined by the Vice Provost for Student Life upon recommendation of the Assistant Dean of Student Life for Involvement and Leadership.

Only officially recognized student organizations may sponsor events where alcohol is offered. The sponsoring organization must submit an Alcohol Service Request Form to the SIL office two (2) weeks prior to the proposed event date. The sponsoring organization must also provide a legal-aged student or staff member to serve as the on-site event manager. This person may not consume any alcohol or other drugs prior to or at the event and is responsible for monitoring compliance with the Alcohol and Other Drugs Policy, obtaining the necessary one-day permit through the California Department of Alcohol Beverage Control, and possessing the permit at all times during the event.

No individual under the age of 21, or anyone who is obviously intoxicated may be served, or permitted to consume, alcoholic beverages at any event. Identification must be checked by entry monitors prior to being served alcohol and must consist of a valid driver's license, Passport, or official California identification card, and, for Saint Mary's College students, a Saint Mary's College student ID card.

If the event involves students under the age of 21, alcohol must be served by trained bartenders (approved by the Alcohol Review Committee) and served and consumed in a specific area designated for persons 21 and older. Anyone who intentionally furnishes false information regarding his/her age shall be subject to disciplinary action. The Alcohol Review Committee will consult with Public Safety to assess the need for the assignment of Public Safety officers to ensure that adequate safety precautions are in place for the event.

Only beer or wine may be served at student-sponsored events. Distilled liquor in any form is not permitted. Food and non-alcoholic beverages must be available at the event and a reasonable portion of the budget must be designated for this purpose. Non-alcoholic beverages must be attractive, and displayed with equal prominence as the alcoholic beverages.

The amount of alcoholic beverages and food items available at an event is to be appropriate for the expected number of guests and duration of the event as determined by the Alcohol Review Committee. Oversized containers (including, but not limited to, kegs, party balls, or beer trucks) may be allowed at student-sponsored events only with the approval of the Alcohol Review Committee and the Assistant Dean of Student Life for Student Involvement and Leadership. Oversized containers are not permitted in the residence halls under any circumstances. Alcoholic beverages may not be served during or after the last hour of any student-sponsored event. The hours and timing of the event will be determined in consultation with the Alcohol Review Committee. Free alcoholic beverages are not allowed at student-sponsored events. A minimum of \$1.00 per drink must be charged and all drinks must be dispensed individually in cans or plastic containers by event bartenders.

The Alcohol Review Committee has the right to alter or redefine, as a condition of approval, any of the above regulations as they relate to a specific group or

organization. If, at any time, the well-being of the community members is deemed to be threatened, appropriate and prompt action will be taken by the College.

### **Guidelines for Faculty/Staff/Alumni/Administration Sponsored Campus Events**

Faculty/staff/alumni sponsors of College events where students may or may not be present and where alcohol will be offered are required to submit an Alcohol Service Form to SIL two (2) weeks in advance of the event. This document lists the sponsor(s) of the event and requires acknowledgment of understanding and agreement to adhere to this Policy.

### **Guidelines for Off-Campus Events**

Saint Mary's College recognizes the role and importance of off-campus events. Groups associated with the College who participate in and sponsor social, service, and educational events must understand their responsibility as a result of their association with the College to adhere to this Policy and recognize the supervision of the designated College official(s) for the duration of the event.

The following guidelines regarding the availability of alcoholic beverages at off-campus events pertain to all members of the College community. These guidelines in no way relieve any public establishment of their obligation to observe and enforce the law.

1. The sponsoring group must abide by applicable laws and local ordinances or codes regarding alcohol. The group should take appropriate steps to prevent underage drinking and the consumption of alcohol by intoxicated persons.
2. The sponsoring group should promote responsible behavior and the general welfare of the sponsoring group, its individual members, and others participating in or associated with the event during that time.
3. At such events, the behavior of the group, individuals, and guests are governed by the regulations set forth in the Code and other College policies.

### **Publicity and Sponsorship for Student Sponsored Events**

The consumption of alcoholic beverages shall neither be the primary purpose of a student event (including, but not limited to, progressive drinking events) nor be used as an inducement to participate in an event. Promotion and advertising of an event may indicate that alcohol will be available for purchase and must indicate that "ID will be required." Also, the promotion and advertising of an event shall not portray symbols of alcoholic beverage consumption (including, but not limited to, foaming mugs, cans, glasses and kegs), excessive consumption (including, but not limited to, drinking contests and competitions) or emphasize frequency or quantity of alcoholic beverage consumption.

The sponsorship of events by alcoholic beverage companies is limited to cash donations, donated materials for College alcohol educational programs, and donated products (other than those which directly promote or advertise alcoholic beverages) in support of fund-raising or other special events as approved by the Vice Provost for

Student Life, the Associate Dean of Student Life, or the Assistant Dean of Student Life for Student Involvement.

## **POLICY PROHIBITING DISCRIMINATION AND HARASSMENT, INCLUDING SEXUAL, AND RETALIATION**

Saint Mary's College of California is committed to creating and maintaining a community in which all persons who participate in Saint Mary's programs and activities can work and learn together in an atmosphere free of all forms of discrimination, exploitation, intimidation, or harassment, including sexual, based on a legally protected characteristic or status. Every member of the Saint Mary's community should be aware that Saint Mary's will not tolerate harassment or discrimination on the basis of race, color, religion, national origin, ancestry, age, gender, sexual orientation, marital status, medical condition, or physical or mental disability, gender stereotyping, taking a protected leave (FMLA or PDL) or on any other basis protected by applicable laws. Such behavior is prohibited both by law and by Saint Mary's policy. It is Saint Mary's intention to take whatever action may be needed to prevent, correct, and if necessary, discipline behavior which violates this policy, which may include suspension, termination, expulsion, or another sanction appropriate to the circumstances and violation. All members of the Saint Mary's community, including faculty, students, and staff are responsible for maintaining an environment that is free of sexual harassment and other forms of discrimination, harassment and retaliation as described in this Policy.

### **Definition of Sexual Harassment**

Sexual harassment is a form of sex discrimination, which is illegal under both federal and state laws. It can be verbal, visual, or physical. Although what constitutes sexual harassment will vary with the particular circumstances, it is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in a College activity; or
- Submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting that individual; or
- Such conduct has the effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or abusive working or learning environment.

Sexual harassment does not include verbal expression or written material that is relevant and appropriately related to course subject matter or curriculum, and nothing in this policy is intended to interfere with Saint Mary's educational mission or academic freedom, e.g., the ability of a teacher or student to examine examples of harassment appropriate to a particular subject. A determination of whether particular conduct creates an intimidating, hostile or abusive work or learning environment is assessed from the point of view of a reasonable person in the complainant's position. Such a determination

also takes into account the totality of the circumstances, including, but not limited to, the following:

- the frequency of the offensive conduct;
- its seriousness;
- whether it is physically threatening or humiliating;
- the location of the conduct and the context in which it occurred;
- the degree to which the conduct affected the education or employment environment; and
- the relationship between the parties.

### **Examples of Conduct Which May Be Sexual Harassment**

Examples of verbal, physical or visual conduct which may be sexual harassment include, but are not limited to:

- direct propositions of a sexual nature;
- sexual innuendoes and other seductive behavior, including subtle pressure for sexual activity such as repeated, unwanted requests for dates, and repeated inappropriate personal comments, staring, or touching;
- direct or implied threats that submission to sexual advances will be a condition of employment, promotion, grades, etc;
- conduct (not legitimately related to the subject matter of a course or curriculum, if one is involved) that has the effect of discomforting, humiliating or both, and that includes one or more of the following:
  - comments of a sexual nature, including sexually explicit statements, questions, jokes, anecdotes, or graphic material (e.g., visuals, such as screen savers, which are sexually explicit);
  - unnecessary or unwanted touching, patting, massaging, hugging or brushing against a person's body or other conduct of a physical nature;
  - remarks of a sexual nature about a person's clothing or body;
  - insulting sounds or gestures, whistles, or catcalls;
  - invading someone's personal space or blocking her/his path;
  - unwelcome and inappropriate letters, telephone calls, electronic mail, or other communications;
  - displaying sexually suggestive objects, pictures, cartoons or posters (e.g. screen savers).
- a consensual romantic or sexual relationship which causes adverse treatment of third parties. creates a hostile or intimidating working or learning environment for third parties;
- stalking (which is also criminal behavior);
- sexual assault (which is also criminal behavior).

Some conduct that may appear to be consensual may also be unacceptable.

Sex/gender based discrimination, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on a person's gender or gender-based characteristics, but not involving conduct of a sexual nature (e.g., the repeated sabotaging

of female students' laboratory experiments by male students in the class), may be a form of sex discrimination prohibited by law. While sex/gender-based discrimination may be distinguished from sexual harassment, acts of sex/gender-based discrimination may contribute to the creation of a hostile work or academic environment. Thus, a determination of whether a hostile environment due to sexual harassment exists may take into account acts of sex/gender-based discrimination.

Not all sexual harassment occurs between persons of differing power. Sexual harassment may also occur between peers. In addition, while the majority of reported cases of sexual harassment involve a male harassing a female, sexual harassment may also involve a female harassing a male, or an individual harassing a person of the same gender.

**NOTE:** Nothing in Saint Mary's policy prohibiting sexual harassment should be construed to prevent employees from rigorously challenging fundamental beliefs held by students and society. However, employees may not interject into the academic setting sexual material that is unrelated to any legitimate educational objective or allow the educational setting to be so sexually charged that Saint Mary's students are prevented from effectively participating in the academic environment.

### **Retaliation and/or Violation of Interim Protections**

Threats or other forms of intimidation and/or retaliation against a student or employee for bringing a complaint of alleged discrimination, harassment (including sexual or sexual assault) or of any other violations of College policies, including but not limited to the Student Code of Conduct, are prohibited. This prohibition includes threats or other forms of intimidation and/or retaliation against the family or friends of a student or employee who brings a complaint under this policy, or those who assist a student or employee in bringing a complaint, or those who participate in an investigation and/or student discipline process for an alleged violation of the Student Code or other policy.

Retaliation is a violation of College policy and may also be a violation of the law. An allegation of retaliation constitutes an independent basis for investigation and imposition of sanctions on the retaliating student or employee if determined to have occurred. All conduct that is believed to constitute retaliation should be reported immediately to the Associate Dean of Student Life (when the individual alleged to have engaged in retaliation is a student or student visitor) or to the Director of Human Resources (when the individual alleged to have engaged in retaliation is an employee (faculty and staff) or visitor to the College (e.g., contractors, vendors, or nonstudent guests)). The reporting procedures described below also apply to allegations of retaliation. Interim protections mean steps the College takes to reasonably protect employees and students during an investigation and/or student discipline process.

### **Reporting Procedures and Resources for Addressing Complaints of Discrimination, Harassment, Including Sexual, and Retaliation**

Saint Mary's has in place internal procedures to investigate and address complaints of discrimination, harassment (including sexual) and retaliation as described in this Policy.

These procedures are intended to assure fairness and to maintain confidentiality in the process of responding to complaints.

Complaints of discrimination, harassment, including sexual harassment or sexual assault, based on the protected characteristics above and/or retaliation that involve employees (faculty and staff) or visitors to the College (e.g., contractors, vendors, or non-student guests) should be reported promptly to the Director of Human Resources, who is responsible for overseeing Saint Mary's compliance with this Policy and who will determine the appropriate next step for investigation and resolution. All members of the Saint Mary's community shall cooperate fully with the Director of Human Resources in the fulfillment of her/his responsibilities.

Complaints of discrimination and harassment, including sexual harassment or sexual assault, based on the protected characteristics listed above and/or retaliation involving students or student visitors should be reported promptly to the Associate Dean of Student Life who will initiate the appropriate student discipline process to address those complaints. Individuals who believe they have experienced discrimination, harassment, including sexual harassment or sexual assault, based on the protected characteristics listed above and/or retaliation are also free to contact the Equal Employment Opportunity Commission and/or the California Department of Fair Employment and Housing to pursue external legal remedies.

#### **Non-Discrimination Seminars**

Saint Mary's offers its employees during each academic year several opportunities to attend seminars regarding discrimination (which will also include an update on legal developments in the area of sexual harassment). Throughout each academic year, students have the opportunity to attend programs regarding discrimination and sexual harassment, including sexual assault. Except as described below, all employees must attend one such on-campus seminar in this area per academic year (defined as July 1 to June 30). Lecturers and adjunct faculty who have difficulty attending on-campus seminars due to either geographic distance from Moraga and/or evening teaching schedules during the academic year, as well as staff who work only at off campus locations (excluding the Rheem campus), may comply with this requirement by completing an on-line sexual harassment seminar offered by the College once every two academic years. Employees who are on an approved and/or legally mandated leave during the academic year are not required to fulfill this requirement while on that leave, but will be expected to do so in the next academic year following their return from such leave.

Except for those faculty and staff described above, failure of a tenure-track or tenured faculty or staff member to attend an on-site College-sponsored sexual harassment seminar during each academic year, when offered, as evidenced by the absence of a record of attendance at such seminar, may result in the Board of Trustees declining to indemnify (i.e., pay any judgment against or settlement on behalf of the individual), to the extent permitted by law, the faculty or staff member should a claim for

discrimination, including but not limited to sexual harassment, or retaliation be brought against that faculty or staff member.

Except for those faculty and staff as described above, failure of a non-ranked faculty member (e.g., adjunct, lecturer) to attend an on-site College-sponsored sexual harassment seminar during each academic year, when offered, as evidenced by the absence of a record of attendance at such seminar, may result in the Board of Trustees declining to indemnify (i.e., pay any judgment entered against or settlement on behalf of the individual), to the extent permitted by law, the faculty member should a claim for discrimination, including but not limited to sexual harassment, or retaliation be brought against that faculty member, as well as precluding that non-ranked faculty member from being considered for or offered another faculty appointment at the College.

### **Sanctions**

Employees who engage in conduct in violation of this policy are acting outside the scope of their employment responsibilities and, in addition to discipline up to and including termination of their employment, may be subject to individual legal liability and damages for their action.

### **Nondiscrimination Disclosure**

In compliance with applicable law and its own policy, Saint Mary's College of California is committed to recruiting and retaining a diverse student and employee population and does not discriminate in its admission of students, hiring of employees, or in the provision of its employment benefits to its employees and its educational programs, activities, benefits and services to its students, including but not limited to scholarship and loan programs, on the basis of race, color, religion, national origin, age, sex/gender, marital status, ancestry, sexual orientation, medical condition or physical or mental disability.

### **Retaliation**

Threats or other forms of intimidation and/or retaliation against a student or employee for bringing a complaint of any alleged violation of the Code or other College policy are prohibited. This includes threats or other forms of intimidation and/or retaliation against the family or friends of a student or employee who brings a complaint, those who assist a student or employee in bringing a complaint or those who participate in an investigation and/or student discipline process for an alleged violation of the Code or other College policy. Retaliation is a violation of College policy and may also be a violation the law. An allegation of retaliation constitutes independent basis for investigation and imposition of sanctions on the retaliating student or employee if determined to have occurred. All incidents that are believed to constitute retaliation should be reported immediately to the Associate Dean of Student Life and/or Associate Director of Community Life (when the individual alleged to have engaged in retaliation is a student) or to the Director of Human Resources (when the individual alleged to have engaged in retaliation is a non-student).

## **SEXUAL ASSAULT AND SEXUAL MISCONDUCT POLICY**

Sexual assault, sexual misconduct and “having consensual sex” are not the same. Sexual assault and sexual misconduct are acts of hostility, power, control, degradation, and violence...not passion. They are attempts to control and degrade others using sex and sexual acts as weapons. Anyone can be a victim of sexual assault or sexual misconduct – women, men, and children. Perpetrators of sexual assault and sexual misconduct can be anyone: a stranger, someone you have known for a long time or someone you have just met.

Saint Mary’s College of California insists that all members of its community shall be able to pursue their interests free from sexual assault, sexual misconduct and other forms of sexual harassment. This Policy pertains to incidents of sexual assault and sexual misconduct between students or where the alleged perpetrator is a student. To report a violation of this Policy when the alleged perpetrator is a student, follow the procedures outlined below. To report a violation of this Policy when the alleged perpetrator is a faculty or staff member, contact the Director of Human Resources at 925-631-4212. For information regarding reporting other forms of sexual harassment, see the Policy Prohibiting Discrimination, Harassment, including Sexual, and Retaliation.

### **Definitions of Prohibited Behaviors**

**Sexual Assault** is defined as engaging in sexual intercourse with any person without that person’s consent. Sexual intercourse is the penetration, however slight, of the vagina, or anus with any object or body part and of the mouth with a sexual body part or sexual object. Students found responsible for violating the sexual assault section of this Policy will be expelled.

**Sexual Misconduct** is defined as the act of making sexual contact with the intimate body part of another person without that person’s consent. Intimate body parts include the sexual organs, the anus, the groin or buttocks of any person, or the breasts of a female. Students found responsible for violating the sexual misconduct section of this Policy will be suspended for a minimum of one (1) year and will be required to complete an educational sanction assigned by the DHB.

**Consent** is defined as unambiguous and willing participation or cooperation in act or attitude that is commonly understood to be consistent with the exercise of free will. Consent requires participants who are fully conscious, are equally free to act, have clearly communicated their willingness, cooperation, or permission to participate in a specific sexual activity, are positive and clear in their desires, and are able to cease ongoing consensual activity at any time. Refusal to consent does not have to be verbal; it can be expressed with gestures, body language or attitude. A prior sexual history between the complainant and respondent does not constitute consent.

Consent is not freely given if:

1. It is obtained through the use of force, through the fear of or the threat of force, or by kidnap; or

2. A reasonable person in the position of the alleged perpetrator at the time the alleged conduct occurred should have known that the other person was unable to give consent for any of the following reasons:
  - a. The individual is unable to make an informed decision as a result of alcohol or other drugs (including but not limited to predatory drugs or prescribed medications); or
  - b. The individual is unconscious, asleep, or suffering from shock; or
  - c. The individual is under the age of eighteen and therefore legally unable to give consent; or
  - d. The individual has a known mental disorder or developmental or physical disability, and therefore legally unable to give consent.
3. The individual has acted or spoken in a manner which expresses he or she refuses to give consent.

### **College and Community Resources**

The following resources are available to students and other members of the Saint Mary's community for information and support concerning sexual assault and sexual misconduct:

#### **SMC Sexual Assault Crisis Response Team • 925-878-9207**

The College's Sexual Assault Crisis Response Team is available 24-hours a day, seven days a week via published cell phone number, 925-878-9207, for confidential referral and support services when the College is in session. Members of the team are trained to assist students by providing information and discussing available resources and options (medical, legal, emotional, and academic), making referrals, providing access to appropriate College and community services, and providing on-going follow-up. Members of the Sexual Assault Crisis Response Team **do not** act as counselors.

The Sexual Assault Crisis Response Team assures confidentiality if contact is made via the Response Team cell phone number. The victim's name and personal information will be kept confidential within the team unless written permission is received to release the information or unless one of the following exceptions exists:

- Knowledge of suicidal or homicidal thoughts; or
- Knowledge that child/elder abuse has occurred; or
- Information release is court-ordered; or
- There is an imminent threat to the safety of the caller, another student and/or a member of the College community.

If any of the above exists the Sexual Assault Crisis Response Team coordinator will consult with appropriate staff regarding next steps.

Students who believe they have experienced a violation of the Sexual Assault and Sexual Misconduct Policy or of the sexual harassment provisions of the Policy Prohibiting Discrimination, Harassment, including Sexual, and Retaliation may choose to contact the Sexual Assault Crisis Response Team for assistance via the Response Team cell phone. When an individual contacts the response team via the cell phone number, no College discipline action will take place unless the individual chooses to move forward and make a formal report to the Associate Dean of Student Life, Associate Director of Community

Life, or Director of Human Resources as described in the following section on Reporting. Any reports not initiated through the response team cell phone will be considered formal reports and will initiate College action.

**Sexual Assault and Sexual Misconduct Campus Resources**

- SMC Sexual Assault Crisis Response Team.....925-878-9207
- Sexual Assault Awareness Coordinator.....925-631-4193
- Advocacy, support, information, and resource referral
- Assumption Hall, Ground Floor
- Women’s Resource Center.....925-631-4171
- Information, advocacy and resource referral
- Assumption Hall, Ground Floor
- Dean of Student Life .....925-631-4236
- Information about the discipline process & list of advisors
- Public Safety Department
- Emergency.....9-1-1 OR 925-631-4282
- General Information/Administration..... 925-631-4052
- Counseling Center ..... 925-631-4364
- Counseling services, support and information
- Augustine Hall, Ground Floor
- Vice Provost for Student Life..... 925-631-4235
- Information about the discipline process & list of advisors
- Ferroggiaro Hall, #202
- Health and Wellness Center..... 925-631-4254
- Medical and information resource
- Health and Wellness Center, west of Saint Albert Hall Library

**Community Resources**

- Contra Costa County Crisis & Suicide Intervention .....1-800-833-2900
- 24 hour Hotline
- Contra Costa Rape Crisis 24-hour Hotline..... 1-800-670-7273
- National Sexual Assault Hotline .....1-800-656-HOPE (4673)
- www.RAINN.org
- STAND! Against Domestic Violence .....1-888-215-5555
- 24-hour crisis counseling and emergency resource
- Moraga Police Department (24-hour number).....925-284-5010

**Reporting**

If a student believes a violation of the Sexual Assault and Sexual Misconduct Policy has occurred, there are several reporting options available. Students may contact the Sexual Assault Crisis Response Team for information about all available reporting options by calling 925-878-9207. Please note that any report made outside of this phone number will initiate College discipline action. To report other forms of sexual harassment see the Policy Prohibiting Discrimination, Harassment, including Sexual, and Retaliation.

### **To the College**

Individuals are strongly encouraged to report alleged incidents of sexual assault or sexual misconduct to the College and the police. All reports of alleged violations of this Policy received outside of the Sexual Assault Crisis Response Team phone number will be investigated and appropriate disciplinary action will be taken regardless of whether a police report has been filed. The College will evaluate allegations of sexual assault and sexual misconduct and, when appropriate, will take disciplinary action in accordance with the student discipline process set forth in this Policy. All complaints must be made within: (a) one year of the date of the incident, and (b) prior to the actual physical receipt by the respondent of the terminal degree from the College. Reports can also be made directly to the Office of Public Safety or Dean of Student Life and/or Associate Director of Community Life. If the alleged perpetrator is an employee, reports should be made directly to the Director of Human Resources.

### **To the Police**

Individuals are strongly encouraged to report all incidents to the police; however, it is the individual's decision whether or not to file a police report. If the individual wishes, the College will provide assistance in contacting the police and accompanying her/him to the hospital and/or police station. Individuals will have access to support and referral services on-campus regardless of whether or not she/he decides to report the incident to the police. Individuals are strongly encouraged to have both a medical exam to ensure their well-being **AND** a sexual assault kit collected in order to gather forensic evidence.

### **Discipline Process**

The discipline process described here applies to alleged violations of this Policy and the sexual harassment provisions of the Policy Prohibiting Discrimination, Harassment, including Sexual, and Retaliation (for all other alleged violations of the Code or other College policy, refer to the Hearing Process defined in the Rights and Responsibilities section of this handbook). Upon receipt of a report or complaint, whether oral or written, of an alleged violation, the Dean of Student Life or designee will begin a preliminary investigation and determine if there is enough information to merit a disciplinary hearing regarding the allegation. The Dean of Student Life or designee will meet with the complainant and the respondent separately to explain the student discipline process and obtain from each a written statement and list of witnesses, if any, who have information pertinent to the incident.

After meeting with the complainant and respondent, the Dean of Student Life or designee will prepare the case to be heard by the DHB panel. The complainant and respondent will generally be given at least twenty-four (24) hour advance notice of the scheduled meeting time for the DHB panel.

Students are expected to participate in the student discipline process when they are called as a complainant, respondent or witness to a hearing. Should a student fail to appear for a hearing when proper notification has been given or should the student fail to provide a

statement during the hearing, the hearing will proceed without benefit of that student's input. Meetings with the DHB panel will be scheduled taking into consideration the student's regular academic schedule only.

### **Truthfulness**

All individuals participating in the student discipline process are expected to tell the full and complete truth in all disciplinary matters. In order to ensure this is possible, individuals participating in student discipline hearings regarding an alleged violation of the Sexual Assault and Sexual Misconduct Policy will not be charged and held responsible for minor violations of the Code or other College policy. However, if there is a concern about a student's safety and/or use of alcohol and other drugs, the College may recommend counseling or other educational resources to the affected student.

### **Confidentiality/Privacy**

Every reasonable and appropriate effort will be taken by all involved staff to protect the privacy of all individuals involved in a student discipline proceeding, as well as the confidentiality of the details and content of the student discipline process, including, but not limited to the preliminary investigation, DHB hearing, appeal process, and except where permitted by College policy and consistent with applicable law, the sanctions imposed and on whom. However, the College cannot guarantee absolute confidentiality. Students involved in the student discipline process, either directly, or as a witness, are expected to maintain the confidentiality of the process and be mindful of the privacy of others involved.

### **Rights of the Individual Alleging the Violation/Complainant**

- The right to an advisor who will assist the individual through the student discipline process.
- The right to confidentiality of the student discipline process to the extent possible (see above).
- The right to request a change of on-campus residence.
- The right to request academic schedule adjustments.
- The right to on-campus emergency counseling sessions with a member of the Counseling Center staff.
- The right to seek off-campus medical and counseling services.
- The right to seek confidential assistance from the Sexual Assault Crisis Response Team, a member of the Counseling Center staff in a client relationship, or a priest in a confessor relationship.
- The right to make a complaint which will initiate the student discipline process.
- The right to request an on-campus no contact order for the respondent as an interim measure through the student discipline process.
- The right to file a police report and take legal action separate from and/or in addition to student discipline action.

### **Rights of the Respondent**

- The right to an advisor who will assist the individual through the student discipline process.
- The right to confidentiality of the student discipline process to the extent possible (see above).
- The right to on-campus emergency counseling sessions with a member of the Counseling Center staff.
- The right to seek confidential assistance from a member of the Counseling Center staff in a client relationship, or a priest in a confessor relationship.
- The right to seek outside counseling support.

### **Advisors**

Both the complainant and the respondent involved in a disciplinary matter alleging a violation of this Policy or the sexual harassment provisions of the Policy Prohibiting Discrimination, Harassment, including Sexual, and Retaliation, have the option of choosing a member of the College community (faculty, staff, or student) as an advisor to accompany them through the process. The advisor may not be a parent, relative, an attorney or a representative of an attorney.

Members of the DHB or individuals who will be serving as a witness in the case may not serve as an advisor. The advisor is not an advocate for the student in the proceedings and may not address the DHB panel or speak on behalf of the student. The advisor may speak with the student privately and in a manner that is not disruptive to the hearing or student discipline process. The respective student's advisor may be present at any time at which the student they are advising is meeting with the DHB panel or other member of the College staff regarding the disciplinary matter and at which the student wishes for them to be present. Additionally, written statements signed by either an advisor or an individual who is not eligible to serve as an advisor (including an attorney) will not be accepted as part of the student discipline process, including any appeals filed by the student(s) sequent to the DHB Hearing.

The advisor is obligated to maintain the confidentiality of the nature of the allegation(s), the content of the student discipline process, and the privacy of the complainant, respondent, and any witnesses known to the advisor.

A list of individuals who have volunteered and have been trained to serve as advisors in sexual assault, sexual misconduct and sexual harassment cases is available from the Associate Dean of Student Life or designee to both the complainant and the respondent. Students are strongly encouraged to choose an advisor to assist them in the student discipline process. It is the student's decision if they want an advisor and who that advisor will be.

### **Disciplinary Hearing Board**

The DHB for sexual assault, sexual misconduct and sexual harassment cases is comprised of faculty and staff who have been trained to hear these cases. Three (3) members of the

DHB pool will generally be called to sit on a DHB panel, with one member serving as chair. Members of the DHB pool are appointed by the Associate Dean of Student Life. The Associate Dean of Student Life or designee serves as the discipline process facilitator for all sexual assault, sexual misconduct and sexual harassment cases and is present during the hearing. The facilitator's role is to assist the chair and to ensure compliance with the process and procedures outlined below.

It is expected that DHB members will exhibit the highest ethical standards and disqualify themselves if they believe they cannot be impartial or fulfill their obligation to maintain the confidentiality of the process and the dignity and privacy of the respondent, the complainant, and any witnesses before, during, and after the disciplinary hearing. Both the respondent and complainant may raise issues of concern about the impartiality of a member of the DHB panel convened for a particular case. The Dean of Student Life has the sole discretion to decide whether a DHB member can be impartial and will remove anyone whom he/she determines is unable to be impartial and/or respectful of the confidentiality of the process and privacy of the individuals involved.

### **Outline of Hearing**

1. DHB proceedings are closed to all parties except the individual student(s), the DHB panel, the facilitator, witnesses, and the respective students' advisor(s).
2. The chair will convene the DHB panel.
3. The chair will introduce the DHB panel to the complainant and explain the process.
4. The complainant will be asked to submit a written statement or make an oral statement to the DHB panel. Upon completion of the statement, the complainant will answer questions from the DHB panel. The complainant will be excused until the DHB panel recalls him/her for further questions.
5. The chair will invite the respondent into the hearing and will introduce the DHB panel to the respondent and explain the process. The facilitator will read to the respondent the complaint (including material information supporting it, e.g. time, place and specific conduct alleged), the College Policy that the conduct, if found to have occurred, would violate and the complainant's statement.
5. The respondent will be asked to submit a written statement or make an oral statement. Upon completion of the statement, the respondent will answer questions from the DHB panel. The respondent will be excused until the DHB panel recalls him/her for further questions.
6. The chair will recall the complainant. The facilitator will read the respondent's statement to the complainant. The complainant will be given the opportunity to respond to the respondent's statement at this session or he/she may request a subsequent session of the DHB to prepare a response.
  - a. If the complainant determines that a subsequent session of the DHB is **not** required, the complainant will respond to the statement and answer questions from the DHB panel.
  - b. If the complainant determines that a subsequent session of the DHB is required,

- the complainant will answer questions from the DHB panel and upon completion of these questions, will be excused until the DHB panel recalls him/her for the subsequent session.
7. The chair will recall the respondent. The facilitator will read the complainant's statement, if any, to the respondent. The respondent will be given the opportunity to respond to this statement at this session or the respondent may request a subsequent session of the DHB to prepare a response.
    - a. If the respondent determines that a subsequent session of the DHB is **not** required, the respondent will respond to the statement and answer questions from the DHB panel.
    - b. If the respondent determines that a subsequent session of the DHB is required, the respondent will answer questions from the DHB panel and upon completion of these questions, will be excused until the DHB panel recalls him/her for the subsequent session.
  8. Any witnesses will individually be asked to make a statement and respond to questions from the DHB panel.
  9. All participants (complainant, respondent, and any witnesses) must be available for recall by the DHB panel for additional questioning until the chair excuses them.
  10. The chair will ask the respondent to make a closing statement to the DHB panel. The respondent is then excused from the proceedings.
  11. The chair will ask the complainant to make a closing statement to the DHB panel. The complainant is then excused from the proceedings.
  12. The DHB panel will deliberate in private and based on their investigation and interviews will determine an appropriate finding:
    - a. It is more likely than not that the alleged conduct did not occur and the respondent is not responsible for a violation of the Code or College policy, or
    - b. It is more likely than not that the alleged conduct occurred and the respondent is responsible for a violation of the Code or College policy and impose sanctions, as appropriate.
  13. The chair will notify the Dean of Student Life or designee of the hearing's outcome within twenty-four (24) hours of its completion. The Dean of Student Life or designee will communicate the finding of the DHB panel to the respondent and the complainant in writing generally within seven (7) business days. Unavoidable delay in providing notice of outcome shall not constitute an appealable procedural error.

### **Sanctions**

The College has established the minimum sanctions for violations of the Sexual Assault and Sexual Misconduct Policy which are found in the Definitions of Prohibited Behaviors section of this Policy. More severe sanctions may be imposed by the DHB panel depending on the circumstances of a particular case. Any one or more of the sanctions may be assessed to a student found responsible for violating the sexual harassment provisions of the Policy Prohibiting Discrimination, Harassment, including Sexual, and Retaliation.

## **Appeal Process**

This process applies to an appeal of sanctions received from a violation of this Policy only. For appeal of sanctions received from a violation of the sexual harassment provisions of the Policy Prohibiting Discrimination, Harassment, including Sexual, and Retaliation, refer to Hearing Process, the Appeal Process defined in the Rights and Responsibilities section of this handbook applies. Both the complainant and the respondent may participate in the appeal process in student discipline cases for violations of this Policy.

Only one request for an appeal may be submitted by either the complainant and/or the respondent. An appeal must be in writing and consists of:

1. A completed Appeal Request form (available in the Office of Student Life and the Office of Residence Life), and
2. A statement outlining and supporting the specific basis on which the student is appealing.

Note: Appeals signed by anyone other than the student appealing, including appeals signed by an advisor or someone not eligible to serve as an advisor (including an attorney) will not be accepted for appeal.

An appeal must be submitted to the Dean of Student Life and be based on one or more of the following or it will not be considered:

1. A process or procedural error was made that was significantly prejudicial to the outcome of the hearing as it affects the student appealing.
2. New information that was not available or known to the student appealing at the time of the hearing has arisen which, when considered, may materially alter the outcome.

NOTE: Information that the appealing student chose not to present at the time of the hearing is not considered new information.

1. The sanctions were not appropriate for the specific violation of the Code or other College policy which the respondent was found to have violated.

If an appeal is received from either the complainant or the respondent, the Dean of Student Life or designee will notify, in writing, the non-appealing student within five (5) business days of receipt of the appeal that an appeal has been filed and the ground(s) upon which the appeal has been made. Within five (5) business days of such notification, the non-appealing student may submit a written statement to the Dean of Student Life or designee that he/she wishes to be considered by the Appeal Board.

An appeal is heard by an Appeal Board consisting of two (2) members of the DHB who did not serve on the original case and the Dean of Student Life serving as chair (the Vice Provost for Student Life or an Assistant Dean of Student Life will serve as chair if the Dean of Student Life is not available). The Appeal Board will consider the merits of an appeal on the basis of the information provided in the Appeal Request form, the student's written statement, the written record of the case, and the student's entire discipline record. Based on these materials, the Appeal Board will:

1. Reject the appeal if it finds the basis for appeal unsubstantiated; or

2. Reject the appeal if it finds that any procedural errors were minor in nature and would not have altered the outcome of the hearing or the sanctions imposed; or
3. Modify the sanction(s) if they are found to be inappropriate; or
4. Return the case to the DHB panel for a rehearing if a procedural error or new information, as defined above, has arisen. In such cases, the same DHB panel who originally heard the case shall reconvene as soon as possible. If a member of the original DHB panel is no longer available; the Associate Dean of Student Life will select additional DHB member(s) from the DHB pool.
5. Reverse the decision of the DHB panel or remand the case to a new DHB panel where substantial procedural error is determined to have unfairly influenced the hearing.

The Appeal Board chair will communicate its decision to the respondent and the complainant in writing once a decision has been reached. The decision of the Appeal Board is final and no further appeals are permitted.

During the consideration of a request for an appeal, sanctions imposed by the DHB panel shall not be in effect. However, the Vice Provost for Student Life, the Dean of Student Life, or their designee may impose conditions or continue existing conditions governing the respondent's status with the College during the appeal process.

### **Sexual Assault and Sexual Misconduct Educational and Prevention Activities**

The Saint Mary's College community is committed to providing broad-based educational programs to help prevent sexual assault, sexual misconduct, and dating violence and to create a consciousness and an awareness about gender issues from an interdisciplinary, multicultural perspective. Some of the educational and prevention efforts provided by the College include:

1. A sexual assault awareness campaign addressing risks, statistics, safety, consent, coercion, and on and off campus resources is carried out each semester. This is carried out through programs, bulletin board displays, and brochures that are made available throughout the school.
2. The Women's Resource Center provides ongoing programming to raise awareness about sexual assault, gender violence and systematic oppression through programs such as: International Day to Eliminate Violence Against Women, the V-Day College Campaign, Women's History Month and Sexual Assault Awareness Month.
3. Programs addressing sexual assault, gender violence, and gender socialization are offered as a regular component of orientation and week of welcome and are available in residence halls each semester.
4. The Women's Resource Center provides peer education and outreach through its Peer Outreach Education Team Program. POET is a student group of volunteers, male and female educators, program planners and advocates that are trained to support and educate peers.

Saint Mary's College Crime Statistics are always available through the U.S. Department of Education web site: [www.ope.ed.gov/security](http://www.ope.ed.gov/security). OPE ID: 00130200

As provided by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, Saint Mary's College of California through its Department of Public Safety, annually provides notice and makes available copies of the Annual Security Report, to the campus community, prospective students, employees and the public. Each Security Report includes statistics for the past three years concerning crimes and incidents (whether they occurred on campus, in off-campus building and property owned or controlled by the College, or on public property adjacent to campus) reported to campus security authorities. Each Security Report also provides campus policies and practices concerning security – how to report sexual assaults and other crimes, crime prevention efforts, policies/laws governing alcohol and drugs, victims' assistance programs, student discipline, college resources, and other matters. The Security Report is publicly available electronically or hard copy in the following ways:

Electronically: <http://www.stmarys-ca.edu/about/safety/02report.pdf>; in person: Department of Public Safety, Administrative Office, 111 Assumption Hall; or by Mail or Telephone Request: Department of Public Safety, P.O. Box 3111, Moraga, CA 94575-3111 (925) 631-4052.

In addition, as provided by the Campus Sex Crimes Prevention Act, the Contra Costa County Sheriff's Office maintains a Megan's Law database of sex crime offenders, information may be obtained in person from the Sheriff's office located at 500 Court Street, Martinez, Monday-Friday, 9 a.m. to 4 p.m. or thorough the California Department of Justice website which lists designated registered sex offenders in California at <http://www.meganslaw.ca.gov>.

2007 Crime Statistics Report and College Safety Information – Published in September 2008



**St. Mary's College Department of Public Safety  
Hate Crime Statistics**

2005	RACE				GENDER				RELIGION				SEXUAL ORIENTATION				ETHNICITY				DISABILITY							
	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF				
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Any Crime Involving Bodily Injury	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC = ON CAMPUS    NC = NON-CAMPUS    PP= PUBLIC PROPERTY    RF = RESIDENTIAL FACILITY

Case: 05SEP061



**St. Mary's College Department of Public Safety  
Hate Crime Statistics**

2006	RACE				GENDER				RELIGION				SEXUAL ORIENTATION				ETHNICITY				DISABILITY							
	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF				
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Any Crime Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC = ON CAMPUS    NC = NON-CAMPUS    PP= PUBLIC PROPERTY    RF = RESIDENTIAL FACILITY

There were no Hate crimes reported in 2006

**Saint Mary's College Department of Public Safety  
2007 Crime Statistics**

	All On Campus Property				Non-Campus Property				Public Property				Grand Total	On Campus Residential Only			
	Reported to Public Safety	Reported to Police	Reported to Non-Police	SUBTOTAL	Reported to Public Safety	Reported to Police	Reported to Non-Police	SUBTOTAL	Reported to Public Safety	Reported to Police	Reported to Non-Police	SUBTOTAL		Reported to Public Safety	Reported to Police	Reported to Non-Police	SUBTOTAL
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>MOTOR VEHICLE THEFT (TOTAL)</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>4</b>	
SMC golf carts	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	3	
All other motor vehicles	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	1	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>BURGLARY (TOTAL)</b>	<b>32</b>	<b>0</b>	<b>0</b>	<b>32</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>32</b>	<b>0</b>	<b>0</b>	<b>32</b>	
Forcible Burglary	18	0	0	18	0	0	0	0	0	0	0	0	18	0	1	13	
Non-forcible Burglary	14	0	0	14	0	0	0	0	0	0	0	0	14	0	0	14	
<b>SEX OFFENSES, FORCIBLE (TOTAL)</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>2</b>	
Forcible Rape	0	2	0	2	0	0	0	0	0	0	0	0	2	2	0	2	
Forcible Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sexual Assault w/ Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>SEX OFFENSES, NON FORCIBLE (TOTAL)</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Statutory Rape	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	1	
Illegal Weapons Possession Arrests	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	1	
Illegal Weapons Possession Violations Referred for Disciplinary Action	2	N/A	0	2	0	N/A	0	0	0	N/A	0	0	2	N/A	0	2	
Liquor Law Arrests	2	0	0	2	0	0	0	0	0	0	0	0	2	0	0	2	
Liquor Law Violations Referred for Disciplinary Action	15	N/A	3	18	0	N/A	0	0	0	N/A	0	0	18	N/A	3	18	
Drug Law Arrests	4	0	0	4	0	0	0	0	0	0	0	0	4	0	0	4	
Drug Law Violations Referred for Disciplinary Action	87	N/A	0	87	0	N/A	0	0	0	N/A	0	0	87	N/A	0	87	
Liquor Violations of SMC Policy referred for disciplinary action - not reportable under CLERY and UCR guidelines	33	N/A	26	59	0	N/A	0	0	0	N/A	0	0	59	N/A	26	59	

\* Note that incidents that occur in on-campus residential facilities will be entered twice in both the "on-campus" and "residential facilities" categories.

**St. Mary's College Department of Public Safety  
Hate Crime Statistics**

2007	RACE				GENDER				RELIGION				SEXUAL ORIENTATION				ETHNICITY				DISABILITY							
	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF	OC	NC	PP	RF				
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Any Crime Involving Bodily Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC = ON CAMPUS    NC = NON-CAMPUS    PP= PUBLIC PROPERTY    RF = RESIDENTIAL FACILITY

There were no Hate crimes reported in 2007