

# WSU Spokane Annual Security and Fire Safety Report 2015

*2014 Calendar Year Statistics*



*Printed copies of the WSU Spokane Annual Security/Fire Safety Report can be obtained at the Office of Security and Public Safety. Information prepared by the Office of Security and Public Safety at WSU Spokane.*



# Table of Contents

Clery Information and Preparation of Statistics	1
Director's Letter	2
Mission Statement and Security Department Information	3
Reporting, Access and Programs	3-5
Policies and Procedures	6-8
Jurisdiction and Student Conduct Code Information	8-11
Registered Sex Offender and Resource Information	11-13
Eastern Washington University Clery Compliance Information	14
Definitions	15-19
Title IX and VAWA Information	19-25
Crime Statistics	26
Conclusion	27
Campus Map	28

# CLERY REPORTING INFORMATION

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (also referred to as Clery Act) is a federal law that requires colleges and universities to disclose information about crime on and around their campuses. The act is named in memory of Jeanne Clery, a 19-year-old Lehigh University freshman who was assaulted and murdered in her residence hall room on April 5, 1986.

The Clery Act mandates that higher education institutions give timely warnings of crimes that represent a threat to the safety of students or employees, and to make publicly available their campus security policies. The act also requires that crime data be collected, reported and disseminated to the campus community, while also being reported to the U.S. Department of Education. This act is intended to provide students, their families, staff and anyone else concerned with accurate and timely information about safety on campus.

On Aug. 14, 2008, the Higher Education Opportunity Act or HEOA (Public Law 110-315) reauthorized and expanded the Higher Education Act of 1965, as amended. HEOA amended the Clery Act and created additional safety and security-related requirements for institutions.

**Jeanne Clery**  
1966 - 1986



*"Lest We Forget The Meaning of her Death, That We Must Protect One Another, So That Her Life Will Not Have Been in Vain."*

In memory photograph courtesy of Security on Campus website

## **Preparation of Disclosure of Crime Statistics**

The WSU Spokane Campus Department of Security and Public Safety prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report can be accessed via the Security homepage at [http://spokane.wsu.edu/services2/Facilities/Safety\\_Security/security.html](http://spokane.wsu.edu/services2/Facilities/Safety_Security/security.html) in PDF format. The report can also be obtained at the security office on campus, located in the Innovate Washington building at 665 N. Riverpoint Blvd. room 201. Campus crime, arrest and referral statistics are compiled from various sources in addition to those statistics from the Office of Security and Public Safety for the WSU Spokane Campus. These sources include but are not limited to, all offices that have designated campus officials such as directors, department supervisors, deans, advisors, counselors, as well as any other office on campus that may, in the time of emergency, take or forward a report to the Office of Security. Crime statistics may also include crimes that have occurred in proximity to the campus which have been reported to the Spokane Police Department or other adjacent security or law enforcement agencies. The Office of Security and Public Safety annually requests crime statistics from the Spokane Police Department as part of an ongoing partnership. Counseling and Mental Health services are not required to inform security or police, on a voluntary and confidential basis, of an event unless it is reasonably suspected that the person may do harm to themselves or any other person within the campus community. A procedure is in place to anonymously report crime statistics that are disclosed confidentially during a session with these professionals. Daily crime log information is compiled by the Clery officer in the Office of Security and Public Safety. These crime logs are posted on a monthly basis in a display case in front of the Campus Security Office.

Every year a campus-wide email notification is sent to all participating students, staff, faculty and guests containing this report as an attachment, along with instructions and the location of the website to retrieve the same report. The report is also forwarded to the Washington State University and Eastern Washington University student services for further dissemination through their email contact lists. In addition to electronic dissemination, campus security provides a paper copy in a labeled binder to each student services office on campus to remain accessible to the campus community upon request to view. All the crime statistics found within this report are reported to the Department of Education by the supervisor of the Office of Security and Public Safety for the WSU Spokane Campus.

# DIRECTOR'S LETTER

Welcome,

On behalf of the WSU Spokane Security Department, I would like to extend to you our greetings. We are committed to maintaining a safe environment for work, study and research. We encourage you to join us, as a member of the Washington State University Spokane Campus community, to actively participate in maintaining a safe environment in partnership and report any suspicious activity or crime you may witness. As a member of the Spokane Campus community, it is your responsibility to help protect yourself and others.

The Spokane Campus includes members from Washington State University, Eastern Washington University and the University of Washington. The Medical Sciences, R.I.D.E. and many other graduate and undergraduate programs are present. We are located in downtown Spokane, commonly known as the University District which includes Gonzaga University across the river from us and a small Whitworth University off-campus extended learning site.

The Security Department is a full service department and consists of five full time officers, seven part time officers and one Sergeant Supervisor. Several full time officers have obtained a limited commission issued by the Spokane Police Department. We are on duty twenty four hours, seven days a week including all holidays to provide security services. You may contact WSU Spokane Security directly at (509) 358-7995.

All the members of the WSU Spokane Security Department are committed to making a difference. I encourage you to get to know us. You will find that we are professional, knowledgeable, and personable. We look forward to providing you excellent service as a member of the campus community. If you have questions about security at the Spokane Campus, please feel free to contact me at (509) 358-7993 or by email at [Pignataro@wsu.edu](mailto:Pignataro@wsu.edu).

Al Pignataro

Campus Security Lieutenant

Commanding Officer

## Mission Statement

*The WSU Spokane Campus Department of Security and Public Safety is concerned about the welfare of all students, faculty, staff and guests. The department is dedicated to providing a safe educational environment, and to protecting the assets of the institution. Because no campus can totally isolate itself from crime, the WSU Spokane Campus Department of Security and Public Safety has developed a series of policies and procedures designed to ensure that every possible precaution is taken to protect our campus and its community.*

### Office Information

The office of WSU Spokane Campus Security and Public Safety reports to the Director of Facility Operations. Campus Security and Public Safety works closely with all departments of the Universities represented to ensure that safety policies and procedures are uniformly executed and conveyed in a clear and consistent manner to all student, faculty, staff and guests.

### Location

The office is located at 665 N. Riverpoint Blvd. in the Innovate Washington building, room 201. Officers are available for calls 24 hours a day, 7 days a week. Supervisors and uniformed campus security officers provide around-the-clock patrol and services to the campus community. The department currently employs 14 officers, 7 of which serve full-time. 6 full-time officers including the supervisors carry a limited Police Officer Commission issued by the Spokane Police Department. Limited commission officers have arrest powers as a police officer while on duty within the WSU Spokane Campus boundaries. The remaining officers are non-commissioned and are governed by the civil service statutes of the State of Washington. They have the same arrest powers as a private citizen as interpreted from common law and the Revised Code of Washington 9A.04.060.

#### Limited Commission Officers

Lieutenant/Sergeant (Supervisors) 2  
Full-time Officers 4

#### Non-Commission Officers

Full-time Officers 1  
Part-time Officers 7

### Security Roles and Responsibilities

Campus Security officers are responsible for a full range of safety services to the WSU Spokane Campus community. Services include, but are not limited to, all initial crime report investigations, first responder situations including medical emergencies and fire emergencies, safety escorts, vehicle jump starts and unlocking, and enforcement of all University policies including those relating to alcohol use, drug use, and weapons possession, as well as initial reports of sexual assault, domestic and dating violence and stalking. Campus Security officers submit incident reports and information reports on all crimes on or adjacent to campus that are reported to the department. These incident reports are filed with the office of Facility Operations and are disseminated, ultimately becoming part of its record-keeping process. All incidents that are criminal in nature, or that are likely to become criminal are forwarded to Spokane Police Department for further consideration or investigation.

### How to report a crime

All criminal activity, suspicious activity, and other emergencies on campus should be reported directly to the Office of Campus Security and Public Safety by any member or guest of the WSU Spokane Campus community. For crimes in progress please call 911 first to alert police and then security at 509-358-7995 or #40 from a campus phone if there is time. For all other calls, including but not limited to non-emergency, suspicious circumstances and persons, complaints and information requests, please call 509-358-7995. An officer is available to take your call 24 hours a day. Additionally, all **Campus Security Authorities** are able to take initial



reports of crimes from our campus community, and they will forward the report to security or call an officer for response.

### **Emergency Blue Stations**

The WSU Spokane Campus currently has seven Blue Emergency Phone Poles within its boundaries. Refer to the campus map for the specific locations at the end of the report, page 24. The Emergency Blue poles call campus security and provide two-way communication between the user and the officer. While a phone is active, a blue light on top of the pole flashes in a strobe pattern for identification purposes. Please remain near the pole if at all possible, so that an officer can communicate with you and respond appropriately. Failure to remain near an Emergency Blue pole when in use, or not communicating with the officer via the speakerphone on the pole may delay response efforts of first responders or emergency services.



### **Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the Washington State University system or the local criminal justice system, we urge you to consider making a confidential report. With your permission, the Supervisor or a designee of the WSU Spokane Security and Public Safety Department can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while also taking appropriate measures to ensure the future security and safety of yourself and others while on the WSU Spokane Campus. With such information, the University can better keep accurate records of the number of incidents involving the campus community, determine any discernible pattern of crime with regard to particular location, method, or assailant, and alert the campus community to any potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for this institution.

### **Campus Security Authorities**

WSU Spokane Campus Security - Entire Department	358-7995
Facility Operations - Director, Administration Assistants, Program Coordinators	358-7994
Parking Operations - Parking Supervisor	368-6999
WSU Student Affairs - Director, Assistant Director, Program Coordinator	358-7978
WSU Student Counseling - Student Counselor	358-7740
WSU Human Resources - HR Director, HR Generalist	358-7740
EWU Student Services - Manager, Counseling and Psychological Service Staff	828-1394

## **Encouragement of Pastoral and Professional Counselor Reporting**

While it is not mandatory for Pastoral or Professional Counselors to report crimes that have been reported to them in confidence, WSU Spokane Campus Security urges them to confidentially report such incidents which could endanger the person or any member of the campus community in the future. Any report in this manner is confidential, and as such will be recorded under the same policy as a confidential report to protect the identity of the victim or witness.

## **Access**

During business hours (7:00 am to 10:00 pm, Monday through Friday for most buildings) the university is open to students, parents, employees, contractors, guests and invitees. During non-business hours, which include some buildings during the weekends, access to the university buildings are by card or key, if issued, or by admittance via the Department of Security and Public Safety, with prior approval.

Emergencies on or around campus may necessitate changes to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from Facility Operations, Campus Safety Committees, and other offices concerned review the survey results. These surveys examine security issues such as landscaping, locks, alarms, lighting, crosswalk safety, handicap accessibility and communications.

## **Security Awareness Programs**

During orientation in August for WSU students, and September for EWU students in specific departments, services are offered by WSU Spokane Campus Security. Verbal presentations by officers are scheduled during the orientations which outline campus wide resources and security related prevention techniques while on the WSU Spokane Campus. Programs such as bike registration, bicycle lock purchasing, floor captain and fire drill/evacuation training, personal awareness training while walking around campus and the urging of community members to call security if they see anything suspicious are all available. Periodically during the academic year or otherwise scheduled special showings, WSU Spokane Campus Security, in cooperation with WSU Student Affairs, show active shooter videos and facilitate active discussion after the showing for the campus community. Current crime prevention techniques are also communicated during these meetings, and are also available upon request from the Supervisor of WSU Spokane Security and Public Safety Department. Along with periodic seminars, security performs an annual vehicle survey outlining things left in vehicles while parked on campus that would further increase the likelihood of crimes of opportunity to occur. Such items targeted include cell phones, GPS devices, stereo equipment, personal hygiene items, school books and handbags, an abundance of loose change within sight and other easily sellable or tradeable items. A summary report is then published and distributed around campus for the community members to read and review.

When time is of the essence, information is released to the campus community through security alerts which are emailed to a predefined mass email server list. Specific members of the EWU administration are included in the mailing so that they may further disseminate the alert to the EWU staff and faculty, as well as the student base at the WSU Spokane campus.

## **Statement Addressing Criminal Activity Off Campus**

When a WSU Spokane student is involved in an off-campus offense, a Spokane Police Neighborhood Resource Officer, as per a verbal agreement with the WSU Spokane Security Department, will notify us of any serious incidents occurring on campus or in the immediate neighborhood and business areas surrounding campus. This agreement also exists with the Eastern Washington University Campus Police Department whose students attend our shared campus. WSU Spokane Campus security officers work closely with city, county and state police to facilitate rapid response in any emergency situation.

In the event that a WSU Spokane student commits a criminal offense off-campus, local law enforcement, as per agreement, may contact WSU Spokane Security for purposes of Student Conduct Code referrals. Any report of criminal activity by a WSU Spokane student may be investigated by Campus Security and will be forwarded to the WSU Spokane Conduct Office, which may result in disciplinary action in addition to any judicially imposed consequences.

## **Policies and Procedures**

### **Timely Warnings**

*Clery requires timely warnings only for Clery crimes that (1) are reported to campus security authorities, (2) are determined to pose a threat to students and employees, and (3) occurred on campus, in or on non-campus buildings or property owned by the university, or on public property that is within the campus or immediately adjacent to campus.*

In the event that a situation arises and that is a Clery specific crime, that constitutes an ongoing or continuing threat to the campus community or property in the judgment of the supervisor of the Office of Security and Public Safety, a “timely warning” will be issued. The warning will be issued through the intra-campus email system to students, faculty and staff, as well as through the campus alert webpage at <http://www.spokane.wsu.edu/campusalert/>. Depending on the nature of the crime or threat, especially all situations that pose an immediate threat to the campus community and individuals, the Office of Security and Public Safety may also post timely warning notices on all entrance doors of all campus buildings. These notices will be printed on hot pink letter sized paper in bold black print. Anyone with information that may warrant a timely warning is urged to report the circumstances to the Office of Security and Public Safety by phone at 509-358-7995, or in person at the security office, located in Innovate Washington building, room 201. Reports can also be taken by the offices of Student Affairs for WSU and EWU, located on the first floor of the Academic Center and the first floor of the Phase 1 buildings, respectively. Those offices will then forward the warning information to the Office of Security and Public Safety, or request an officer to respond. A timely warning may be issued for any other crime or incident as deemed necessary or appropriate.

### **Emergency Notifications**

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on the campus, Washington State University Spokane will determine and employ communication methods appropriate to the situation to notify the campus community immediately, and without delay. Confirmation of significant emergencies will require direct investigation by appropriate University personnel. Taking into account the safety of the community, Washington State University Spokane will determine the content of the notification and initiate the appropriate elements of the emergency notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

For all campus law enforcement issues, the Office of Security and Public Safety will be primarily responsible for confirming a significant emergency or dangerous public safety situation on campus through victim, witness or officer observations. Upon confirmation, the Office of Security and Public Safety at the officer-in-charge or above level have the primary responsibility to prepare and issue campus law enforcement emergency notifications.

For other emergencies, (non-law enforcement) including, but not limited to, hazardous materials releases, utility failures, computer systems/telecommunications failures, hazardous weather, etc. affecting the WSU Spokane campus, other departments at WSU Spokane, including, but not limited to, Environmental Health and Safety, Facilities Operations, or Information Technology, may also confirm a significant emergency. All confirmed non-law enforcement emergency notifications will be the responsibility of the Office of Security and Public Safety, Facility Operations or Communications departments, dictated by the nature of the non-emergency. Confirming departments will report the non-law enforcement emergency to the Office of Security and Public Safety, Facility Operations or Communications, who will have the primary responsibility to prepare and issue non-law enforcement emergency notifications.

Whether the emergency is a law enforcement or non-law enforcement issue, those authorized to issue emergency notifications will be responsible for determining the appropriate segment or segments of the campus community to notify. Incident circumstances may require only a floor, building, facility, area etc. which need to be notified as compared to the entire campus.

*Examples of situations that would require immediate emergency notifications could include:*

- A dangerous suspect at-large for aggravated assault, robbery, arson, rape, murder (even if the suspect is in custody), etc.
- An occurring or impending natural disaster, or
- An occurring or impending man-made disaster.

An emergency notification will include information that would enable members of the university community to take actions to protect themselves. Information to promote safety will include specific information about the type of incident, time, location and instructions on what actions to take and other safety tips.

WSU Spokane has three primary tools plus a number of secondary methods of communication. The primary tools include the Crisis Communications System (CCS), which allows for direct contact via telephone voice and text messaging as well as email to those registered for the system; the Campus Outdoor Warning System (COWS), using loudspeakers to provide immediate warning and direction to personnel who are outside on the main body of the campus; and the Spokane WSU CAMPUS ALERT website where more detailed information, guidance and resource information can be posted.

*Examples of communication mediums that can be used by the Riverpoint Campus:*

- Everbridge Mass Notification System
- Campus Emergency Loudspeaker system (7) on top of Emergency Blue Poles
- Campus Alert webpage at <http://www.spokane.wsu.edu/campusalert>
- Recorded Alert Message Line (509) 323-2474
- Campus Email System - separate email list serves for WSU, EWU and Innovate Washington
- Local Media
- Twitter Account: @WSUSpokane
- Facebook at <http://www.facebook.com/WSUSpokane>
- ZZUSIS Portal at <http://zzusis.wsu.edu> accessible by WSU students/staff/faculty with a WSU ID#

The Office of Security and Public Safety, Facility Operations and Communications personnel who are identified as having responsibility for issuing emergency notifications are trained and practice on confirming significant emergency or dangerous situations, preparation of notification content and use of the CCS.

All notifications posted on the Spokane WSU CAMPUS ALERT page are the responsibility of the Office of Communications at WSU Spokane. The message will be the same Safety Alert text for either law enforcement or non-law enforcement notifications that are released via the CCS, and will be posted on the Spokane WSU CAMPUS ALERT web page. The message will be posted after the CCS alert, and will also include standard text advising recommended actions to take for people to protect themselves as appropriate to the emergency.

As the situation progresses, the WSU CAMPUS ALERT web page will be updated or expanded as necessary. The expanded Spokane WSU CAMPUS ALERT message will contain more details and recommendations for actions to be taken for people to protect themselves. WSU Spokane Department of Communications will consult with Incident Command and with any appropriate resources, such as the Director of Student Affairs or the Director of Human Resources in crafting these messages. The messages will be vetted by appropriate administrators, if necessary, prior to posting if they are available.

Closure of the incident will be provided with a final posting of an appropriate message detailing the end of the incident and to make it clear that any threat is over.

### **Testing Emergency Response and Evacuation Procedures**

WSU Spokane will hold an emergency communications systems test at least once a semester. The test will include activation of the Crisis Communication System, Campus Outdoor Warning System, and WSU ALERT web page. Other methods of emergency communication may also be activated during these tests. These tests may be announced or unannounced.

WSU Spokane Campus will hold drills or exercises for campus emergency responders and emergency management personnel at least once each year and conduct follow-through activities designed for assessment and evaluation of existing emergency response plans, procedures, and capabilities. Whenever possible, emergency responders from local agencies will participate in these exercises or drills with WSU Spokane emergency responders. WSU Spokane Facility Operations will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year. The summary will include a description of the exercise, the date, time and whether the drill was announced or unannounced. The Department of Facility Operations, in conjunction with the Office of Security and Public Safety, will be responsible for maintaining records of all drills and exercises established for campus emergency responders as well as for emergency communications systems tests. The Department of Facility Operations will keep these records for seven years as required by the Clery Act.

### **Missing Student Notification Policy and Procedure**

WSU Spokane does not have on-campus student housing; because of this fact, the campus does not have a formal policy regarding missing students. Should a student be reported missing to any campus security authority, best practices will dictate the security department's response on a situational basis. This response includes, but is not limited to, forwarding the report to the appropriate law enforcement jurisdiction.

### **Fire Log and Fire Safety Report Policy**

WSU Spokane does not have on-campus student housing; because of this fact, the campus does not have a formal student housing fire safety policy or procedure. Additionally, a Fire Log and an Annual Fire Safety Report are not published.

## **Jurisdiction and Conduct Code Policies**

### **WAC 504-26-200 Jurisdiction of the university standards of conduct for students.**

The university standards of conduct for students shall apply to conduct that occurs on university premises, at university sponsored activities, and to off-campus conduct that adversely affects the university community and/or the pursuit of its objectives. Each student is responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The university has sole discretion to determine what conduct occurring off campus adversely impacts the university community and/or the pursuit of university objectives.

### **Alcohol Policy**

WSU Spokane Campus Security seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety, and welfare of all members of the community. In keeping with these objectives, the University has established a policy and guidelines governing the distribution and consumption of alcoholic beverages on the WSU Spokane campus, consistent with laws of the state of Washington. Possession and/or consumption of alcoholic beverages is not permitted on property owned or controlled by the University. Intentionally or knowingly selling, or intentionally or knowingly "furnishing" alcoholic beverages to persons under the age of 21, or to persons obviously inebriated, is not permitted on property owned or controlled by the University.

Alcohol can be served at public events only to those over the age of 21 and only if in conformity with those requirements of the Washington Liquor Control Board and the University regarding the serving of alcohol. Arrangements for serving alcohol at public events must be made through the Events coordinator for the WSU Spokane campus. WSU Spokane Security, along with Spokane Police Department have primary responsibility in enforcing alcohol and drug laws on the WSU Spokane Campus. Any individual known to be in violation

of the University alcohol policy is subject to disciplinary action and possible arrest, imprisonment, or fine according to Washington state or federal law.

#### **WAC 504-26-212 Alcohol**

Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by university regulations), or public intoxication are prohibited. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty-one years of age.

#### **Illegal Drugs**

WSU Spokane Campus Security does not condone possession, use, or distribution of any and all illegal drugs by anyone on campus property. Any individual known to be possessing, using, or distributing such drugs is subject to disciplinary action and possible arrest, imprisonment, or fine according to Washington state or federal law.

#### **WAC 504-26-211 Drugs and drug paraphernalia**

Use, possession, manufacture, or distribution of marijuana, narcotics, or other controlled substances, and drug paraphernalia except as permitted by federal, state, and local law.

#### **Weapons**

For the safety of everyone, all types of weapons are prohibited on campus. This includes but is not restricted to firearms, ammunition, explosives, air guns, BB guns, crossbows, bows and arrows, spring-type guns, slingshots, firecrackers, and fireworks. Anyone possessing or using any of these weapons can and will be subject to disciplinary action and possible arrest, imprisonment, or fine according to Washington state or federal law.

#### **WAC 504-26-213 Firearms and dangerous weapons**

No student may carry, possess, or use any firearm, explosive (including fireworks), dangerous chemical, or any dangerous weapon on university property or in university-approved housing. Airsoft guns and other items that shoot projectiles are not permitted in university-approved housing. Students wishing to maintain a firearm for hunting or sporting activities must store the firearm with the Washington State University Department of Public Safety.

#### **Discrimination Prohibited (including VAWA additions)**

The kinds of discrimination prohibited by WSU policy are those which occur on the basis of race, sex, gender identity, religion, age, color, creed, national or ethnic origin, physical, mental, or sensory disability, marital status, sexual orientation, and status as a Vietnam-era or disabled veteran. Decisions affecting an individual cannot be made on the basis of one of these factors. For example, certain actions cannot be taken on account of a person's sex, or because of a person's age, or because of a person's national origin. Decisions should be made on the basis of neutral and objective criteria by which an individual may be evaluated in terms of his or her accomplishments without regard to irrelevant factors such as sex or race.

#### **WAC 504-26-220 Discrimination**

Discrimination on the basis of race, color, religion, ancestry, national or ethnic origin, age, gender, marital status, veteran status, sexual orientation, gender identity, or mental, physical, or sensory disability is prohibited in conformity with federal and state laws.

#### **Prevention of Sexual Assault**

Sexual misconduct in any form violates WSU's standards of conduct and Executive Policy 15 and will not be tolerated. WSU has instituted procedures to respond to violations of these standards, programs aimed at the prevention of such conduct, and interventions on behalf of the victims. WSU has also adopted measures to educate the campus community and protocols to assist victims. Special emphasis is placed on the needs, rights, and privacy of the victim and due process for offenders. The University is dedicated to maintaining a

quality learning environment which encourages personal integrity, good decision-making, cooperative rather than coercive interpersonal behavior, and respect for the rights of others. WSU maintains a Sexual Misconduct Prevention and Response Taskforce web site at <http://www.sexualassault.wsu.edu>. Students are encouraged to use, and are referred to, this web site to educate themselves and others in their community about sexual misconduct. WSU Spokane also sponsors a one week awareness fair during which advocates train, educate and coach in order to raise awareness and empower everyone to intercede to prevent or mitigate sexual misconduct as well as other acts of violence (see the Title IX/VAWA section starting on page 19.)

### **WAC 504-26-221 Sexual misconduct**

(1) Sexual misconduct is any sexual activity with another that is unwanted and nonconsensual. Sexual misconduct includes physical contact as well as voyeurism.

(2) Consent to sexual activity requires that, at the time of the act, there are actual words or conduct demonstrating freely given agreement to sexual activity-silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:

- (a) Force or blackmail is threatened or used to procure compliance with the sexual activity; or
- (b) The person is unconscious or physically unable to communicate his or her unwillingness to engage in sexual activity; or
- (c) The person lacks the mental capacity at the time of the sexual activity to be able to understand the nature or consequences of the act, whether that incapacity is produced by illness, defect, the influence of alcohol or another substance, or some other cause.

(3) A person commits voyeurism if, for the purpose of arousing or gratifying the sexual desire of any person, he or she knowingly views, photographs, or films another person, without that person's knowledge and consent, while the person being viewed, photographed, or filmed is in a place where he or she has a reasonable expectation of privacy.

#### **If you are a victim of sexual assault**

- Take control of what happens to you as a victim by making decisions.
- If injured, seek a medical exam as soon as possible to protect your health.
- Report the assault to police as soon as possible.
- Seek a support person who can guide you in obtaining help.
- Seek out resource people such as counsel.
- Get involved in the healing process by doing things that you know are comfortable for you.
- Encourage others so that they can also join the healing process.

### **Reporting**

Sexual misconduct victims, on their own or with the help of WSU personnel, are urged to seek immediate attention from the Spokane Police Department, as well as from medical and counseling services. Upon request, WSU personnel will assist students in notifying local law enforcement authorities. Please report any sexually related misconduct to Spokane Police Department and WSU Spokane Security as soon as possible. Victims should preserve any evidence that may be necessary to the proof of criminal sexual offense. Preservation includes refraining from showering or bathing and saving articles of clothing worn.

The Director of Student Affairs can assist victims with adjustments in living and academic situations at 509-358-7526. Confidential Counseling Services are available at 509-358-7740. Victims are encouraged to contact SAFeT Sexual Assault Response in Spokane at 509-624-7273.

### **Disciplinary Process**

Victims may also report a sexual assault to the Director of Student Affairs. With consent of the victim, reports accusing a WSU student of sexual assault will be handled through WSU's disciplinary procedures outlined in the Student Handbook and in accordance with Executive Policy 15. Victims and accused students have the right to be present during a conduct hearing and to have an advisor present at that hearing.

In disciplinary proceedings alleging sexual misconduct, both the complainant and the accused student are

informed of the outcome. On request, WSU will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of such crime or offense,, the next of kin of such victim shall be treated as the alleged victim for notification purposes. Students may be sanctioned following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses. Sanctions range from reflection papers, community service hours, and restitution to suspension and expulsion for serious or repetitive violations. Such disciplinary action will normally proceed without regard to any civil or criminal proceeding.

## **Registered Sex Offender Information**

*Washington State* <http://www.waspc.org/index.php?c=Sex%20Offender%20Information>

*Spokane County* <http://www.icrimewatch.net/index.php?AgencyID=54488&disc=>

The Washington State Registered Sex Offender Law began in 1990. The law was later amended to include kidnapping offenders in the registration program (1997). In accordance with the law, the Spokane County Sheriff's Office is required to maintain the registration information for the convicted offenders living in the entire Spokane County area. Local law enforcement agencies in the incorporated areas of Spokane County are responsible for making sure the offenders living in those jurisdictions are residing at the addresses they reported on their registration forms.

The Sex/Kidnapping Offender Registration Law allows the Spokane County Sheriff's Office to register and track convicted offenders. However, the sheriff's office has no legal authority to direct where a sex offender may or may not live. The State Department of Corrections does have limited authority to restrict living choices for offenders who are still on probation or parole for their crime(s). Unless court-ordered restrictions exist, these offenders are constitutionally free to live wherever they choose. Sex offenders have always lived in our communities; but it wasn't until passage of the Community Protection Act of 1990 (which mandates sex offender registration) that law enforcement even knew where they were living. In many cases, law enforcement is now able to share that information with you. Citizen abuse of this information to threaten, intimidate, or harass registered sex offenders will not be tolerated. Further, such abuse could potentially end law enforcement's ability to do community information dissemination. We believe the only person who wins if community notification ends is the sex offender, since sex offenders derive their power through secrecy. This site is not meant to violate anyone's privacy or livelihood. It is a tool to inform the public and provide information as allowed by state law. Please do not misuse or abuse the information we have provided on this Internet site.

## **Your Search**

When you enter the search area, you are given the option of two different methods of searching. One will return a report based on the address that you enter. If you enter an address within the city limits of Spokane, only level 3 sex/kidnapping offenders will be displayed. In all other areas of Spokane County this report provides a list of Level 2 and 3 registered sex/kidnapping offenders that have a reportable address in Spokane County, within an approximate half-mile radius of the address information you entered. Also listed is the number of level 1 offenders living in that same area. No additional information is being provided for level 1 offenders because they are least likely to re-offend and most have successfully participated in a treatment program. Information in these reports for level 2 and 3 offenders will contain the offender's name, age, race, classification level and crime of conviction and or the crime that originally required the subject to become a registered offender. The second search function is related only to "Level Three" offenders, meaning those that pose the greatest potential harm to our communities. All level 3 offenders that registered an address within the Spokane County area are included. This search will provide an approximate address of the offender, a photograph of the offender, and a brief narrative section (when available) describing the past crimes and other information that led authorities to classify the offender as a "Level Three" sex offender.

Regardless of your search method, your report will only contain information about offenders who have properly registered with the Spokane Sheriff's Office and have a current address in the county.

## **University and Community Alcohol and Substances Abuse Resources**

University and community resources are available to assist students with any problems associated with alcohol and substance abuse. These services include information, assessment, treatment, and referral.

### **University Resources:**

WSU Spokane Counseling Services, Academic Center Bldg., 509-358-7740 room 145 - For WSU students

<http://www.spokane.wsu.edu/counseling>

#### Hours:

Monday

Tuesday By Appointment

Wednesday

Thursday By Appointment

Friday

Weekends, Evenings and Holidays please use the Spokane Crisis Line at 509-838-4428.

### **Private Practitioners and Private Agencies:**

Several private practitioners and agencies are available in the area and are listed in the local telephone directory.

### **Resource Numbers**

Crisis Services and Suicide Prevention

WSUS Counseling 509-358-7740 (weekdays 8 a.m. to 5 p.m.)

WSU Counseling (Pullman) 509-335-4511 (off-hours/Holidays)

Spokane Crisis Line 509-838-4428 (including suicide prevention)

SAFeT Sexual Assault Response 509-624-7273

Ogden Hall Shelter for Women & Children 509-327-7737

YWCA Domestic Violence Hotline 509-326-2255

YWCA Women's Resource Center 509-326-2255

Spokane Area Hospitals/Health Care

Deaconess Hospital 509-458-5800

Rockwood Clinic 509-838-2531 Main Clinic

Holy Family Hospital 509-482-0111

Providence Sacred Heart Medical Center 509-474-3131

Telephone Nurse 509-335-3575 (24-hr. free consultation-WSU)

Pullman HWS Pharmacy 509-335-5742

### **Definitions of Sexual Harassment**

WSU's discrimination policy explicitly incorporates and prohibits sexual harassment as a form of unlawful sex discrimination. Sexual harassment is defined as: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education,
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual, or
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive environment. When the University becomes aware of incidents of sexual harassment, it is bound by state and federal law to take corrective steps to terminate the harassment.

### **WAC 504-26-222 Harassment**

Conduct by any means that is severe, pervasive, or persistent, and is of such a nature that it would cause a

reasonable person in the victim's position substantial emotional distress and undermine his or her ability to work, study, or participate in his or her regular life activities or participate in the activities of the university, and actually does cause the victim substantial emotional distress and undermines the victim's ability to work, study, or participate in the victim's regular life activities or participate in the activities of the university.

### **Some Examples of Sexual Harassment**

Sexual harassment encompasses any sexual attention that is unwanted. It includes both verbal and physical conduct. Examples of sexual harassment prohibited by this policy include, but are not limited to:

- A. Physical assault;
- B. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;
- C. Direct propositions of a sexual nature;
- D. Subtle pressure for sexual activity;
- E. A pattern of conduct that discomfits or humiliates the person at whom the conduct is directed which includes one or more of the following:
  - 1) comments of a sexual nature;
  - 2) sexually explicit statements, questions, jokes, or anecdotes;
  - 3) unnecessary touching, patting, hugging, kissing, or brushing against a person's body;
  - 4) remarks of a sexual nature about a person's clothing or body; or
  - 5) remarks about sexual activity or speculations about previous sexual experience;
- F. Persistent, unwanted attempts to change a professional relationship to an amorous one.

### **Enforcement of Prohibitions**

The University vigorously enforces its prohibitions against unlawful discrimination, including sexual harassment, and encourages those who feel aggrieved to seek assistance to rectify problems. Its internal grievance procedures are utilized to investigate and remedy violations. While observing the principles of due process, determinations of policy violations will lead to the application of disciplinary sanctions, including warning, censure, suspension, dismissal, or in some situations, summary suspension. In support of this discrimination policy, the University promotes preventive educational measures to create greater awareness of unlawful discriminatory practices, including sexual harassment among faculty, staff, and students. Administrative officers, deans, directors, department chairs, and supervisors are responsible for making certain that all employees are informed fully of the types of conduct that may be classified as discriminatory, including sexual harassment, and that such conduct is prohibited. Training is available from the Center for Human Rights. Any employee or student of WSU who believes that he or she has been subjected to unlawful discrimination, including sexual harassment, or who believes he or she has been charged wrongfully with a complaint, may utilize the procedures described in the Discrimination and Sexual Harassment Complaint Procedures.

# Eastern Washington University

## Clery Compliance Information

This section is provided for the EWU campus community members to reference.

Many of the policies regarding criminal acts and student conduct issues may seem similar to the WSU section; however, there are slight differences that could lead to misunderstandings in jurisdiction. It is important to note that WSU has jurisdiction over the entire WSU Spokane Campus. As a result, if a person from EWU commits a crime or otherwise breaks a conduct policy, the report of the occurrence will primarily be written as a WSU violation and then be submitted to EWU in the form of a referral, which may have other consequences outside the scope of WSU.

Criminal acts will be investigated by WSU Spokane Campus Safety officers, and may also involve Spokane Police Department rather than EWU Police. As a matter of policy, WSU Spokane Campus Safety reports all criminal acts and conduct code violations involving EWU community members to the EWU Police Department and EWU Student Services at the WSU Spokane Campus.

Please reference the linked information of the EWU Security and Fire Report for 2014



# Definitions

## Daily Crime Log

Campus Security and Public Safety maintains a daily crime log that lists all reported crimes. The log outlines the logistics of the crime (date, time, location), the nature of the crime, and how the crime was handled.

## Crime Statistics

The Office of Campus Security and Public Safety gathers and compiles Riverpoint Campus Security's crime statistics. In addition to the crimes reported to Campus Security, the supervisor also solicits information from the Office of Student Affairs. Crime statistics in this report from off-campus venues and adjacent streets were compiled in collaboration with the Spokane Police Department.

These crime statistics are substantiated by the Office of Campus Security and Campus Safety in collaboration with the Office of Student Affairs WSU, Office of Student Affairs EWU, and the Spokane Police Department. Double counting of these crimes is avoided by an oversight process conducted by the supervisor of campus security.

It should be noted that the Campus Security Act was amended in 1998. Any marked increase across years or in the revised statistics from previous years can be accounted for by the fact that the geographic boundaries for reporting were greatly expanded in 1998, and reporting of drug, alcohol, and weapons violations was also broadened to include not only arrests but also disciplinary referrals.

## Crime Definitions

### Murder

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

### Manslaughter

The killing of another person through gross negligence.

### Sex Offenses (Force)

Any sexual act against another person without the other person's consent. (Includes attempts)

- a. Sexual intercourse with another person without the other person's consent.
- b. Sodomy with another person without the other person's consent.
- c. Oral copulation (vaginal, anal) with another person without the other person's consent.
- d. Rape with a foreign object (vaginal, anal) of another person without the other person's consent.
- e. Sexual battery is the touching of the intimate parts of another person for the purpose of sexual gratification, without the other person's consent.

### Sex Offenses (No force)

Any unlawful, but consensual sex act with another person. (Includes attempts)

- a. Incest--consensual sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited.
- b. Unlawful sexual intercourse, (statutory rape), consensual intercourse with a person who is under the age of consent.

### Robbery

The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear.

**Aggravated Assault**

An unlawful assault upon the person of another with a firearm, deadly weapon, object, instrument or by any means or use of force likely to produce great bodily harm. (Includes attempts, whether or not an injury occurred.)

**Simple Assault**

An unlawful assault upon the person of another where no weapon was used and which did not result in a serious or aggravated injury to the victim. (Includes attempts, whether or not an injury occurred.)

**Burglary**

The unlawful entry into a defined structure with the intent to commit a theft or any felony.

**Vehicle Theft**

The taking of a vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of title or possession of the vehicle.

**Arson**

The willful and malicious setting of a fire to burn or who burns or causes to be burned or who aids, counsels, or procures the burning of any structure, forest land or property.

**Narcotics/Drug Offenses**

The unlawful possession, sale, use, transportation, cultivation, manufacturing or maintaining an unlawful place. (Does not include driving while under the influence, and/or being under the influence of narcotic/illegal drugs.)

**Alcohol Offenses**

The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), and maintaining an unlawful drinking place. (Does not include public drunkenness or driving while under the influence.)

**Weapon Offenses**

With certain exceptions, the possession or control of any firearm, deadly weapon, illegal knife or explosive device while on this property. Our residential policy prohibits the possession or control of any fireworks, Pellet or BB guns, switch blade knives, nunchakus, billy clubs or any other deadly weapon.

**Hate Crimes**

A criminal act motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

**Domestic Violence**

means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

“Domestic violence” includes but is not limited to any of the following crimes when committed by one family or household member against another:

- (a) Assault in the first degree (RCW 9A.36.011);
- (b) Assault in the second degree (RCW 9A.36.021);

- (c) Assault in the third degree (RCW 9A.36.031);
- (d) Assault in the fourth degree (RCW 9A.36.041);
- (e) Drive-by shooting (RCW 9A.36.045);
- (f) Reckless endangerment (RCW 9A.36.050);
- (g) Coercion (RCW 9A.36.070);
- (h) Burglary in the first degree (RCW 9A.52.020);
- (i) Burglary in the second degree (RCW 9A.52.030);
- (j) Criminal trespass in the first degree (RCW 9A.52.070);
- (k) Criminal trespass in the second degree (RCW 9A.52.080);
- (l) Malicious mischief in the first degree (RCW 9A.48.070);
- (m) Malicious mischief in the second degree (RCW 9A.48.080);
- (n) Malicious mischief in the third degree (RCW 9A.48.090);
- (o) Kidnapping in the first degree (RCW 9A.40.020);
- (p) Kidnapping in the second degree (RCW 9A.40.030);
- (q) Unlawful imprisonment (RCW 9A.40.040);
- (r) Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.44.063, 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145);
- (s) Rape in the first degree (RCW 9A.44.040);
- (t) Rape in the second degree (RCW 9A.44.050);
- (u) Residential burglary (RCW 9A.52.025);
- (v) Stalking (RCW 9A.46.110); and
- (w) Interference with the reporting of domestic violence (RCW 9A.36.150).

“Employee” means any person currently employed with an agency.

“Sworn employee” means a general authority Washington peace officer as defined in RCW 10.93.020, any person appointed under RCW 35.21.333, and any person appointed or elected to carry out the duties of the sheriff under chapter 36.28 RCW.

“Victim” means a family or household member who has been subjected to domestic violence.

#### **Family or household members –**

means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

#### **Dating relationship –**

means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

**Dating Violence** – (from 42 USC § 13925) means violence committed by a person –

- (A) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) Where the existence of such relationship shall be determined based on a consideration of the following factors:
- (i) The length of the relationship.
  - (ii) The type of relationship.
  - (iii) The frequency of interaction between the persons involved in the relationship.

**Consent –**

means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

**Stalking –**

- (1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:
- (a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and
  - (b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and
  - (c) The stalker either:
    - (i) Intends to frighten, intimidate, or harass the person; or
    - (ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.
- (2) (a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and
- (b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person.
- (3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.
- (4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. “Contact” includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.
- (5) (a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.
- (b) A person who stalks another is guilty of a class B felony if any of the following applies: (i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim’s family or household or any person specifically named in a protective order; (ii) the stalking violates any protective order protecting the person being stalked; (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the person; (v)(A) the stalker’s victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections’ officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare,

or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

(b) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another.

(c) "Harasses" means unlawful harassment as defined in RCW 10.14.020.

(d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

(e) "Repeatedly" means on two or more separate occasions.

---

## **Title IX and V.A.W.A. Compliance**

The 2013 Violence Against Women Reauthorization Act (VAWA) amended the Jeanne Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, dating violence, and stalking. In 2014 the United States Department of Education issued final regulations for implementation of the changes to the Clery Act that were effective July 1st, 2015. The following is WSU Spokane's compliance information.

### **WSU Spokane Awareness Programs**

WSU Spokane Student Affairs, in cooperation with health and wellness services, counseling services and security, coordinates programs to educate the campus community through campaigns targeted at increasing awareness and prevention to reduce incidents of Dating Violence, Domestic Violence, Sexual Assault and Stalking. During the month of April, WSU Spokane Student Affairs hosts a week of Sexual Assault Prevention and Bystander Intervention seminars. Throughout the week students, faculty and staff are encouraged to attend lectures and empowerment classes around campus that specifically outline issues relating to Sexual Assault Awareness, Domestic Violence, Dating Violence, and Stalking.

Along with the seminars, free material is handed out to all who attend. For those who cannot attend, the material is available on campus at information tables, security offices/substations and the student affairs office. Student affairs also host special classes on self-defense and situational awareness training as well as other special trainings from year to year depending on scheduling availability. In 2014 the campus hosted a free Krav Maga self-defense training class.

# Policy Prohibiting Discrimination, Sexual Harassment, and Sexual Misconduct

## EXECUTIVE POLICY 15

### Purpose

Discrimination in all its forms, including discriminatory harassment, sexual harassment, and sexual misconduct (including sexual assault and other sexual violence), destroys mutual respect and a trusting environment, can bring substantial personal harm to individuals, and violates Individual rights. Such behaviors are prohibited and are not tolerated at Washington State University (WSU or the University). This policy expresses WSUs commitment to maintain an environment free of all forms of discrimination.

This policy applies to all students, faculty, staff, and others having an association with the University including, but not limited to, such individuals at all campuses and WSU employment sites. This policy applies whether conduct occurs on campus or off campus, if the continuing effects of the conduct have the potential to unreasonably interfere with or limit an individual's work, academic performance, living environment, personal security, or participation in any WSU activity. WSU's Office for Equal Opportunity (OEO) is the University's central intake office for matters involving discrimination, sexual harassment, and sexual misconduct. All WSU employees and units must coordinate with OEO on matters that implicate this policy.

Definitions of terms follow below. In some cases, certain definitions from the WSU Standards of Conduct for Students are incorporated into this policy and apply to all persons subject to this policy, not just students.

WSU is committed to the principles of free inquiry and free expression; vigorous discussion and debate are fundamental to the University. This policy is not intended to stifle teaching methods or freedom of expression. Discrimination, as prohibited in this policy, is conduct that is neither legally protected as an expression of free speech, nor the proper exercise of academic freedom. Discrimination compromises the integrity of the University, its tradition of intellectual freedom, the trust and respect expected in the University community, and the rights of individuals.

**Sexual misconduct**, which includes sexual assault and other sexual violence, is a form of sexual harassment and is also prohibited by this policy.

Sexual harassment also encompasses "**gender-based harassment**," which means harassment of a non-sexual nature that occurs because of a person's sex and/or gender. It includes harassment based on a person's nonconformity with sex and/or gender stereotypes.

Sexual harassment creates a **hostile environment** when behavior is sufficiently severe, persistent, or pervasive to interfere with an individual's work or educational performance, or creates an intimidating, hostile, or offensive work or educational environment. Examples include, but are not limited to, the following:

- Physical assault;
- Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, work references, or letters of recommendation;
- Sexual behavior that is unwelcome. Such behavior may include, but is not limited to, the following:
  - Comments of a sexual nature;
  - Sexually explicit statements, questions, jokes, or anecdotes;

- Unnecessary or undesirable physical contact;
- Unwanted, offensive, and/or uninvited comments about another's physical appearance
- Display of pictures with sexual content;
- Persistent, unwanted attempts to change a professional relationship to an amorous relationship;
- Subtle propositions for sexual activity or direct propositions of a sexual nature;
- Uninvited letters, e-mails, telephone calls, or other correspondence referring to or depicting sexual activities; and/or
- Any of the above carried out via the Internet or social media ("cyber harassment").

Other offenses that may constitute sexual harassment when based on sex and/or gender include, but are not limited to:

- Threatening or causing physical harm, extreme verbal abuse, or other conduct that threatens or endangers the health or safety of any person.
- Intimidation, which is defined as implied threats or acts that cause a reasonable fear of harm in another.
- Hazing, as defined in WAC 504-26-206
- Bullying or workplace violence, as defined in BPPM 50.30
- Intimate partner violence, which includes violence or abusive behavior within an intimate partner relationship. Intimate partner violence may also be referred to as domestic violence or dating violence. It can be physical, sexual, emotional, verbal, economic, or psychological in nature and can include actions or threats of actions that influence or harm an intimate partner.
- Stalking, as defined in WAC 504-26-223

### **Sexual Misconduct Prohibited**

Sexual misconduct is a form of sexual harassment and is prohibited by this policy. The definition of sexual misconduct in WAC 504-26-221 is used for purposes of this policy. Sexual misconduct includes sexual assault and other sexual violence.

### **To File a Complaint**

Anyone who has experienced conduct implicated by this policy, or any third party who witnesses or becomes aware of conduct implicated by this policy, should contact OEO or a Title IX Co-Coordinator. For incidents on regional campuses, Global Campus, or Extension facilities, the incident may be reported to the designated Title IX Liaison for that area, who reports the incident to OEO. The list of Title IX Co-Coordinators and Title IX Liaisons is available on the OEO website at:

<http://o eo.wsu.edu>

Individuals who file a complaint with OEO can expect to receive information regarding resources available at WSU and in the community that provide counseling and support. OEO also provides information regarding the Investigation process and interim measures that may be available while the investigation is pending (see 'Investigation Procedures —Interim Measures')

After an incident is reported to OEO, WSU takes appropriate steps to stop the discriminatory behavior, prevent its recurrence, and remedy its effects. These steps typically include a prompt, effective, and impartial investigation (see "Investigation Procedures"). Generally within one working day of receiving a complaint, OEO provides written materials to the complainant regarding WSU's policies, procedures, and available resources. These materials include the name of a contact person for questions or comments regarding this policy and OEO's complaint procedures.

## Reporting Criminal Behavior to Police

Anyone who has experienced sexual misconduct, sexual assault, stalking, domestic violence, or another crime may choose to report the incident to the police. WSU's process under this policy is separate from the criminal process and can be pursued simultaneously (see "Investigation Procedures"). In most cases, OEO defers to the complainant's wishes regarding whether to contact police and/or file a criminal complaint; however, there are situations in which the safety of the WSU community or other considerations may require OEO to report an incident to police. OEO attempts to inform the complainant of its decision when this occurs.

## Confidential Consulting Protected by Law

Anyone who has experienced conduct implicated by this policy may choose to consult with a licensed mental health care provider or health care provider (see "Resources"). By law, such professionals are able to assist victims confidentially and are exempt from legal obligations to report incidents for investigation, with some exceptions (for example, child abuse, elder abuse, certain threats of harm) (see "WSU Employee Reporting Responsibilities" for a list of other offices that are able to provide a level of confidentiality).

## WSU Employee Reporting Responsibilities

### Incidents Involving Sexual Harassment or Sexual Misconduct

WSU employees who have information regarding an incident or situation involving sexual harassment or sexual misconduct are required to promptly report the information to OEO or to one of the designated Title IX Co-Coordination or Title IX Liaisons. The list of area Title IX Co-Coordination and Title IX Liaisons is available on the OEO website at:

<http://www.oeo.wsu.edu/title-ix/>

There are limited exceptions to this requirement. The exceptions are:

- Employees who are statutorily bared from reporting (for example, health care providers and mental health care providers acting in their capacities as health care and mental health care providers);
- Employees, interns, professional trainees, and other similar individuals who are not statutorily barred from reporting but who provide services to students in WSU's Counseling and Testing Services or are otherwise designated by WSU to provide mental health services, or who provide services to students in WSU's Health and Wellness Services;
- Employees participating in a preventative education program for students regarding sex and gender-based violence or a related program, during which a student discloses having experienced sexual harassment or sexual misconduct; and
- Employees who have no authority to take action to redress sexual harassment or sexual misconduct and who could not reasonably be viewed by students as having such authority (for example, certain nonsupervisory custodial or dining services staff); such employees are nonetheless strongly encouraged to report all instances of sexual harassment and sexual misconduct to OEO.

## Other Incidents of Discrimination

WSU employees with supervisory responsibility must report all incidents of discrimination and discriminatory harassment to OEO including incidents that do not involve sexual harassment or sexual misconduct. All other WSU employees are strongly encouraged to report such incidents.

### Interim Measures

In some cases, WSU employees with supervisory responsibility must take immediate action to end offending conduct and protect the well-being of the complainant. Supervisors must take such interim measures in consultation with OEO, HRS, and the WSU Division of the Attorney General's Office (see also "Investigation Procedures Interim Measures").

### Other Reporting

Under state law RCW 26.44.030(1)(f), all administrative, academic, and athletic department employees, including student employees, are required to report suspected child abuse or neglect to law enforcement or to the Washington State Department of Social and Health Services. All other higher education employees are required to report suspected child abuse or neglect to their or within 48 hours and also should report these incidents to law enforcement (RCW 26B.10.846).

### Discrimination, Sexual Harassment, and Sexual Misconduct Awareness, Prevention and Response Training

WSU employees are required to complete Discrimination, Sexual Harassment, and Sexual Misconduct Awareness, Prevention and Response Training. To learn more about this training requirement, see:

<http://hrs.wsu.edu/dshp>

Individual units may require employees to complete additional training and may submit requests to OEO for specific training needs.

### **Retaliation and Interference Prohibited**

This policy prohibits retaliation. Retaliation includes any act that would dissuade a reasonable person from making or supporting a complaint, or participating in an investigation, under this policy.

It includes action or threat of action that could negatively affect another's employment, education reputation, or other interest. Retaliation is a separate and distinct violation of this policy. Retaliatory acts should be reported immediately to OEO and are handled promptly, effectively, and equitably.

Interference with the complaint or investigation process is also prohibited and constitutes a violation of this policy. Interference includes, but is not limited to, actions that dissuade or attempt to dissuade complainants or witnesses from reporting or participating in an investigation, or actions that delay or disrupt, or attempt to delay or disrupt, an investigation.

### **Investigation Procedures**

OEO conducts prompt, fair, effective, and impartial investigations of incidents of alleged discrimination, sexual harassment, and sexual misconduct. For complete information regarding investigative procedures, consult OEO's Procedural Guidelines for Responding to Allegations of Violation of the WSU Policy Prohibiting Discrimination, Sexual Harassment, and Sexual Misconduct:

Investigations under this policy are subject to the following:

**Confidentiality.** WSU takes confidentiality seriously. Investigative information is shared with others on a need-to-know basis only, including with investigators, witnesses, the accused individual, and relevant WSU officials, or as required or permitted by law. In some cases, the investigation file may be subject to requests for public records; WSU redacts identifying or other information when legally permissible.

When a complainant requests confidentiality or that WSU not proceed with an investigation WSU respects that request to the extent possible. WSU's legal obligation to provide a safe and nondiscriminatory environment may require that OEO proceed with an investigation, which may require investigators to share limited identifying information about a complainant. OEO informs a complainant if this occurs. In all cases, OEO works with the complainant to provide resources and support.

**Conflict of Interest.** An investigator does not participate in an investigation in which he or she has a conflict of interest. A conflict of interest means the existence of an interest that could reasonably affect or appear to affect the impartiality of the investigator.

**Criminal Complaints.** Under this policy, a complainant has the option to file a criminal complaint with the police. The criminal process can be pursued simultaneously. WSU does not wait for the conclusion of a criminal case to investigate possible violations of this policy. In some cases, a temporary suspension of WSU's investigation may be necessary when requested by law enforcement. However, WSU's investigation resumes promptly once WSU is notified by law enforcement that it may proceed. An outcome reached in a criminal process does not necessarily determine the outcome of WSU's process.

**Interim Measures.** WSU takes appropriate interim steps before a final resolution to support and protect the complainant, as needed. Such steps may be taken regardless of whether the complainant wishes to pursue the complaint. WSU may impose a "no-contact" order, which typically includes a directive that the parties refrain from having contact with one another.

Other interim measures include, but are not limited to, altering the academic, WSU housing, and/or WSU employment arrangements of the parties. When taking such steps, WSU seeks to minimize unnecessary or unreasonable burdens on either party; however, every reasonable effort is made to allow the complainant to continue in his or her academic, WSU housing, and/or WSU employment arrangements. Violations of such protective measures may lead to disciplinary action.

**Participation of Parties.** When appropriate, WSU seeks the consent of the complainant to proceed with an investigation but informs each complainant that alleged violations of this policy may be investigated regardless of consent. If any party or witness declines to participate in an investigation, WSU continues the investigation to the extent possible. WSU as an employer, expects all employees to participate and cooperate with all investigations.

**Investigation Process.** The complainant and the respondent are given the opportunity to provide information and evidence to the investigator, including names of witnesses. The parties are also given the opportunity to provide oral and written statements. Except in extraordinary circumstances, both parties are given written notice of the outcome of the investigation, an opportunity to respond, and an opportunity to appeal.

**Appeals.** For cases in which the respondent is a student, the opportunity to appeal is provided through the student conduct process. For other cases, the opportunity to appeal is provided through OEO's procedural

guidelines:

<http://oeo.wsu.edu/oeo-procedural-guidelines/>

See also “Enforcement and Disciplinary Sanctions” below.

**Standard of Proof.** WSU uses a “preponderance of the evidence” legal standard to evaluate allegations of violations of this policy, which means it is “more likely than not” that the behavior or incident in the complaint occurred.

**Timeframes.** OEO seeks to complete all investigations promptly after receipt of a complaint. An investigation of sexual assault, sexual misconduct, or domestic violence is typically completed within 60 calendar days unless there is good cause to extend that time frame.

### **Enforcement and Disciplinary Sanctions**

**The University vigorously enforces this policy.** Persons determined to have violated this policy are subject to sanctions imposed using the procedures set forth in applicable University policies and handbooks (e.g., the WSU Faculty Manual the Administrative Professional Handbook, WAC 357-40 (Civil service employees, applicable collective bargaining agreements, or the WSU Standards of Conduct for Students, WAC 504-26 including any appeal procedures therein. The chosen sanction is to be adequately and appropriately severe to prevent future offenses. The sanctions that are imposed, or other actions taken, must be reported to OEO by the administrator or supervisor who imposes the sanctions.

In addition, inappropriate and unprofessional behavior by WSU personnel that does not rise to the level of a policy violation (e.g., unwelcome sexual comments that are not sufficiently severe , persistent, or pervasive to constitute sexual harassment), may nonetheless be subject to corrective or disciplinary action in some cases.

### **Malicious or Frivolous Allegations Prohibited**

The University disciplines members of the University community who knowingly make false or frivolous allegations of discrimination, sexual harassment, or sexual misconduct. No complaint is considered malicious or frivolous solely because it cannot be corroborated.

Office for Equal Opportunity  
French Administration, Room 225  
Pullman, WA 99164-1022  
509-335-8288  
<http://oeo.wsu.edu>

# Crime Statistics

Year	On Campus Totals			On Campus Residences			Non Campus			Public Property		
	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
<b>Criminal Offense</b>												
Murder	0	0	0	0	0	0	0	0	0	0	1	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	1
Nonforcible Sex Offenses	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
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	1
Burglary	1	7	6	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	3	1	0	0	0	0	0	0	0	1	2	1
Arson	0	0	1	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	1	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
	2014	2013	2012	2014	2013	2012	2014	2013	2012	2014	2013	2012
<b>Hate/Bias Crimes</b>												
Murder	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
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Nonforcible Sex Offenses	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
Aggravated Assault	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
Motor Vehicle Theft	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
Other Bodily Injury Offenses	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Theft/Larceny	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism	0	0	0	0	0	0	0	0	0	0	0	0



The WSU Spokane Office of Security and Public Safety is committed to working with the community to resolve all emergency situations and criminal matters in a timely fashion. All members of Campus Security know that for this to happen they must cooperate and work hand-in-hand with faculty, staff, and students of the campus. We encourage everyone in the campus community and the campus neighbors to become involved. Be aware of your surroundings, look out for one another while on campus, and report anything different or suspicious. By working together, WSU Spokane Campus Security, the campus community and its neighbors can create a safe and secure environment.



## LEGEND

- WSU buildings
- Other buildings
- Emergency phones

- Clinic visitor parking
- Orange permit parking
- Green permit parking
- Yellow permit parking
- Red permit parking

- Metered parking
- Pay and display parking
- Disability
- Crosswalks
- Walking path

- Shipping & Receiving
- Bike racks
- Bus stop
- Café

## PHONE NUMBERS

Parking.....509-368-6999  
Security.....509-358-7995  
EWU Spokane.....509-828-1394  
WSU Spokane.....509-358-7500

### 1 Innovate Washington Building (SIWB)

Security (201)  
Nutrition & Exercise Physiology (3rd floor)  
NEP Health & Fitness Clinic (3rd floor)  
Area Health Education Center (4th floor)  
Health Policy & Administration (4th floor)

### 2 Academic Center (SAC)

Associated Students WSU Spokane (ASWSUS) (113)  
Student Affairs (130)  
Student Academic Support & Counseling (145)  
Café (1st floor)  
Library (230)  
Technology Support Center (309)  
Student Computer Lab (311)  
Ed Tech Innovation Center (313)  
Criminal Justice (4th floor)  
Education (4th floor)  
Human Resources (420)  
Medical Sciences Business Services (403)  
Medical Sciences Student Services (411)  
Medical Sciences Administration (520)  
Chancellor & Vice Chancellor (5th floor)  
Communication & Development (525)  
Finance & Budget Office (503)  
Office of Research (5th floor)

### 3 Phase One Classroom Building (SCLS)

WSU Information Technology Services (ground floor)  
Student Services - EWU (1st floor)  
Business Administration - EWU (3rd floor)  
Health Science &  
Public Health Administration - EWU (1st floor)

### 4 Health Sciences Building (SHSB)

Hearing & Speech Clinic (120)  
Speech & Hearing Sciences Administration (125)  
Hope School (138)  
Communication Disorders - EWU (147)  
Dental Hygiene Clinic - EWU (160)  
RIDE Dental Education - EWU (280C)  
Occupational Therapy - EWU (225C)  
Physical Therapy - EWU (270A)  
Pharmacotherapy (210A)  
Health Sciences Laboratory (310P)  
WSU Research Labs (1st and 3rd floor)  
MEDEX Administration - UW (280M)  
School of Medicine - UW (320P)

### 5 Nursing Building (SNRS)

Café (ground floor)  
Nursing Administration (1st floor)  
Nursing Student Services (1st floor)  
Clinical Performance &  
Simulation Labs (2nd & 3rd floors)  
Informations Technology Services (3rd floor)  
Nursing Research (4th floor)

### 6 Pharmaceutical & Biomedical Sciences Building (SPBS)

Anatomy Lab (basement)  
Pharmacy Administration (ground floor)  
Walgreens Auditorium (101)  
Pharmacy Clinical Practice Labs (201, 301-303, 401)  
Medical Sciences Research (2nd floor)  
Pharmacy Research (3rd & 4th floors)

### 7 Veterinary Specialty Teaching Clinic

### 8 South Campus Facility (SSCF)

The Bookie (bookstore)  
Clinical Research (241)  
Environmental Health & Safety (265)  
Extension (suite 200)  
MESA (235)  
Facilities Operations (310)  
Facilities Services, Capital (269, 271, 273)  
Mailing Services (410A)  
Parking Office (314)  
Sleep & Performance Research Center (702)

### 9 Spokane Teaching Health Clinic (STHC) (Finished July 2016)

Family Medicine Residency Clinic  
Internal Medicine Residency Clinic  
Psychiatry Residency  
Better Health Together

### 10 Jensen Byrd Building

Maintenance Shops

### 11 Ignite Northwest/WSU Innovation Center

WSU Applied Sciences Laboratory  
Other Tenants

12 Riverpoint One Office Building

13 Courtyard by Marriott

14 Riverfront Office Park

15 Schade Towers Office Building

16 Perkins Restaurant

17 Fairfield Inn by Marriott

18 Whitfield Building