



2016 ANNUAL

# CAMPUS SAFETY & CRIME REPORT

South Mountain Community College



Chandler-Gilbert | Estrella Mountain | GateWay | Glendale | Maricopa Corporate College  
Mesa | Paradise Valley | Phoenix | Rio Salado | Scottsdale | South Mountain

**South Mountain Community College is part of the Maricopa County Community College District. The 2016 Annual Campus Safety and Crime Report is a three year snapshot of crime reported on campus and is provided to increase awareness of programs that exist to protect your safety and well-being at South Mountain Community College. Many students also attend other Maricopa Community Colleges and comparable reports are available for those institutions.**



## Maricopa County Community College District

### Department of Public Safety

Welcome to South Mountain Community College:

On behalf of the men and women of the Maricopa Community Colleges Department of Public Safety, it is my pleasure to welcome you to South Mountain Community College.

The Maricopa County Community College District (MCCCD) Department of Public Safety is a law enforcement agency that operates on site, 24 hours a day, 7 days a week, 365 days a year. Public Safety personnel assigned to South Mountain Community College (SMCC) are available on campus every day to provide assistance or information, either in person or by phone. The SMCC Public Safety office is located inside of the Office Annex Building (OA), on the east end of the campus. The phone number is (602) 243-8100. The Department of Public Safety Central Dispatch Center phone number is (480) 784-0900 and the emergency phone number is (480) 784-0911

The main campus of South Mountain Community College is located at 7050 S 24<sup>th</sup> Street Phoenix, AZ 85042. The Guadalupe Center is located at 9233 S. Avenida del Yaqui, AZ 85283. The Laveen Center is located at 7900 S. 43<sup>rd</sup> Avenue Laveen, AZ 85339. The MCCCD Department of Public Safety maintains an excellent working relationship with both the Phoenix Police Department and the Maricopa County Sheriff Office.

The men and women of the Maricopa Community Colleges Department of Public Safety are dedicated individuals who are committed to making a difference and supporting the educational mission of South Mountain Community College. If you are the victim of a crime I encourage you to report it, plus any suspicious activity you observe on campus to the MCCCD Department of Public Safety. I am confident that you will find members of Public Safety approachable, knowledgeable, and highly professional.

Please take a few minutes to review the following information. I invite you to contact Public Safety if you need further information or simply wish to speak with one of our officers. We are constantly seeking ways to improve the quality of our services and welcome your comments, suggestions, compliments and complaints. Since many of our students also attend other Maricopa Community Colleges I refer you to the District Public Safety website at [www.maricopa.edu/safety](http://www.maricopa.edu/safety) for links to their Annual Security Reports.

Please feel free to contact me at **(602) 243-8073** or by email at [margaret.turner-sample@southmountaincc.edu](mailto:margaret.turner-sample@southmountaincc.edu)

Sincerely,

Margaret Turner-Sample, Commander  
Department of Public Safety  
South Mountain Community College

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## **Campus Security Policy and Crime Statistics Report**

The 2016 Campus Security Policy and Crime Statistics Report is prepared to inform you of South Mountain Community College's campus crime statistics, security policies and steps you can take to enhance your personal safety. South Mountain Community College and the Department of Public Safety are committed to providing the highest level of professional service to the college community. SMCC is committed to maintaining a safe and secure environment to learn, work and study.

### **South Mountain Community College - Department of Public Safety**

The SMCC Public Safety office is a division of the Maricopa County Community College District (MCCCD) Department of Public Safety. A Police Commander supervises the SMCC Public Safety department and reports directly to the District Chief of Police.

The Department of Public Safety is vested with the authority and responsibility to enforce all applicable local, state and federal laws, as well as MCCCD policies. MCCCD Police Officers are duly sworn peace officers under state law (A.R.S Title 13-3871), are certified by the Arizona Peace Officers Standards and Training Board (AZPOST) and have full police officer authority anywhere within the State of Arizona. They are authorized to carry firearms, conduct criminal investigations and arrest violators. The Department of Public Safety has primary jurisdiction on all SMCC owned property.

The MCCCD Department of Public Safety also employs unarmed, non-certified Public Safety Aides to assist with security around the campus. Public Safety Aides are both full and part-time employees who serve as the "eyes and ears" of the department, along with providing vital services to the campus community.

The MCCCD Department of Public Safety works closely with the Phoenix Police Department and the Maricopa County Sheriff Office. The MCCCD Department of Public Safety does not have written Mutual Aid Agreements or Memorandums of Understanding with those agencies.

### **SMCC Public Safety Office Location**

The SMCC Department of Public Safety office is located in the Office Annex building (OA), on the east end of the campus.

### **Preparing the Annual Security Report**

The Department of Public Safety, under direction of the SMCC Police Commander, has the responsibility of gathering the data used to prepare the Annual Security Report. The data is obtained from reports made to the MCCCD Department of Public Safety, the Phoenix Police Department, the Maricopa County Sheriff Office and Campus Security Authorities and other campus personnel. Data that is obtained from the Phoenix Police Department and the Maricopa County Sheriff Office is compared with the data gathered by the college. The resulting data is used to prepare the Annual Security Report.

You may view the Phoenix Police Department website or the Maricopa County Sheriff Office website to see crime statistics for the general area around the main SMCC campus, and/or the Guadalupe Center and the Laveen Center.



Phoenix Police Department: [www.phoenix.gov/police](http://www.phoenix.gov/police)

Maricopa County Sheriff Office: [www.mcso.org](http://www.mcso.org)

The Clery Act requires that crime data is collected, reported and disseminated to the campus community and also submitted to the U.S. Department of Education. The act is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so they can make informed decisions.

### **Disclosure of Safety Policies and the Annual Crime Statistics**

The information contained in this document was prepared under the guidelines established by 20 United States Code, section 1092(f), known as the “Jeanne Clery, Disclosure of Campus Security Policy and Campus Crime Statistics Act,” (The Clery Act) and also in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant Federal law. The statistical information gathered by the Department of Education (ED) is available to the public through the ED website. In addition, a daily crime log is available for review in the SMCC Public Safety office by anyone, Monday through Friday during regular business hours. This report represents a general description of South Mountain Community College’s security/safety policies, programs, and the crime statistics for the most recent calendar year and the two preceding calendar years.

### **Reporting Crimes and Incidents**

Whether you are a victim, a witness or designated Campus Security Authority (CSA), you have the responsibility to promptly and accurately report all crimes to campus or local law enforcement in a timely fashion.

### **Reporting Crime to Campus Security Authorities**

While the college encourages the campus community to promptly report all crimes and other emergencies directly to the Department of Public Safety, we also recognize that some may prefer to report the incident to other individuals and offices. The Clery Act recognizes certain college officials and offices as Campus Security Authorities (CSA). The act defines these individuals as “officials of an institution who have significant responsibility for student and campus activities,” including but not limited to, student discipline, student activities, student club advisors and coaches. An example of individuals or college departments are: Dean of Students, Disability Services and Veteran’s Affairs.

### **To Report a Crime or Non-Emergency**

From any on campus phone, dial **40900** (for a non-emergency), or **40911** for an emergency. From a cell phone or an off campus phone, dial **480-784-0900** (for a non-emergency), or **480-784-0911** for an emergency.

### **Emergencies and Crimes in Progress**

Emergencies, crimes in progress and serious crimes which have just occurred, should be reported by calling the **District Public Safety Communications Center at: (480) 784-0911 (40911 from a campus phone)** or 9-1-1 from any phone. Calling 9-1-1 from a cell phone, on or near the campus may connect you with the Phoenix Police Department. Advise them that you are at SMCC and they will connect you directly with the MCCC Department of Public Safety. If you call 9-1-1 from the Guadalupe Center, you will be connected to the Maricopa County Sheriff Office. Whenever possible, the actual victim or witness of the

crime should call the MCCCDC Department of Public Safety. If you have knowledge of a crime or suspected crime, you may report it by telephone or in person. You may also report a crime if someone merely gives you the information and leaves, but please include this fact when reporting.

The MCCCDC Department Public Safety Communications Center is staffed 24 hours a day, 7 days a week. When a call is received, the Communications Specialist will dispatch the appropriate police, fire or EMS to handle the call. When calling to report a crime or incident, please be ready to give information such as: a brief description of the incident, when and where it occurred, weapons the suspect(s) carried, where and when the suspect(s) was last seen, a description of the suspect(s) and any other relevant information. In addition to the importance of reporting, timely information assists responders and in developing a warning for the campus community.

The following locations are places where campus community members should report crimes:

Official	Campus Location	Phone Number
SMCC Department of Public Safety	Office Annex (OA) Building	602-243-8100 480-784-0911 (emergency)
Vice President of Student Affairs	SES-141	480-423-6300

If an arrest is made by MCCCDC Police Officers assigned to SMCC, or a report has been taken that will require additional investigation off campus, the Phoenix Department or Maricopa County Sheriff Office, other police agency may be called to the campus to take a report, assist with the investigation or process an arrest.

All SMCC incident reports involving students are forwarded to the Dean of Students for review for potential violations of the MCCCDC Student Code of Conduct. The Dean of Students will initiate disciplinary proceedings for any conduct violations as warranted. In particular, bias or hate crimes, harassment, stalking, and violence of any kind is not tolerated at Maricopa Community Colleges, and along with potential criminal charges students are subject to disciplinary action up to and including suspension and expulsion. Similarly, employees are subject to criminal charges for violations of the law, along with disciplinary action up to and including suspension and termination.

### **Non-Emergency Calls for Assistance**

For non-emergency assistance on campus, please call the SMCC Public Safety office at (602) 243-8100. Our office handles both emergency and non-emergency calls for service. A member of Public Safety will provide assistance or you will be directed to the appropriate campus department.

### **Confidential or Anonymous Reporting**

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 want to consider making a confidential report. A MCCCDC Police Officer can file a report on the incident without revealing the identity of the victim. The purpose of the report is to maintain confidentiality, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep accurate records of the number of incidents involving students, employees and visitors, determine where there may be a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential dangers. Reports filed in this manner are disclosed in the Annual Security Report for the institution for statistical purposes. When the report involves allegations of sexual harassment (including sexual violence), it is made available



to the campus Title IX Coordinator. You can request Public Safety to ask that the information remain confidential.

## **Educational Records**

Access to student educational records is protected under the Family Educational Rights and Privacy Act (**FERPA**). Per MCCCCD policy student records may be used without the student's permission for on campus education purposes such as; student registration, financial aid, student discipline, law enforcement and other narrowly defined reasons, which are permitted by Federal law. To view the MCCCCD FERPA statement go to MCCCCD Administrative Regulation: 2.5.3 Student Records, or click on the link below:

[http://www.maricopa.edu/publicstewardship/governance/adminregs/students/2\\_5.php#records](http://www.maricopa.edu/publicstewardship/governance/adminregs/students/2_5.php#records)

## **Services to Help You Stay Safe and Prevent Crime**

The Maricopa Community Colleges Department of Public Safety believes that preventing crime is a shared responsibility. While you cannot control another person's ability or intent to commit a crime, you can reduce the risk of you, or someone else from becoming the victim of crime by doing the following:

- Always remain alert and aware of your surroundings
- Report any unusual or suspicious activity you witness
- Do not walk alone at night
- Never leave valuable items unattended for any amount of time
- Always secure valuables with a lock
- Record the make, model and serial number of your valuables

South Mountain Community College and the Department of Public Safety have the following services in place to assist you with your personal safety:

**Emergency Call Boxes:** There are emergency call boxes located throughout the campus. They are easily identifiable as a tall pole with "Emergency" printed on it. At night, look for the blue light mounted to the top of the box. To operate the call box, simply press the call button and a Public Safety dispatcher will answer immediately and provide assistance. If the area remains unsafe, you may move to the next call box location and activate it until help arrives. Your location is identified upon activation.

An emergency call button is located on each classroom phone. The emergency call button will connect you directly with the SMCC Public Safety office.

**Safety Escorts:** The SMCC Public Safety office provides on-campus escort services between buildings and parking lots. Call Public Safety at **(602) 243-8100**. Depending on the current calls for service, someone from public safety will respond to your location and accompany you to your vehicle.

**Dead Batteries:** Public Safety personnel have the ability to jump start vehicles.

## **Crime Prevention Programs**

The MCCCCD Department of Public Safety, in conjunction with the Phoenix Police Department and the Maricopa County Sheriff Office conducts programs throughout the year to inform students and

employees of safety and security policies, procedures, and practices. Additional crime prevention presentations are available by special request. Some of the presentations that are available are:

- Personal Safety
- Workplace Violence
- Drinking and Driving

### **Daily Crime Log**

A daily police log documenting reported crimes that occurred within the Clery Geographic area is kept in accordance with the Higher Education Opportunity Act (Clery Act). The logs contain the date and time the crime was reported. The logs may be viewed by going to the SMCC Public Safety Office.

### **Timely Warnings**

The Clery Act requires institutions of higher education to give accurate and timely warnings to the campus community, of crimes or incidents which represent an on-going and significant threat to the safety of students, employees and property. The alert may also seek information which may lead to an arrest and conviction of the offender. Information for alerts may also come from other law enforcement agencies.

Whether to issue a Timely Warning Notice is determined on a case by case basis for Clery Act reportable crimes: homicide, aggravated assault, sexual offenses, arson, robbery, motor vehicle theft, domestic violence, dating violence, stalking and hate crimes, as defined by the Clery Act. Other crimes are considered on a case by case basis, depending on the facts of the case and whether there is a continuing threat to the campus community. Alerts may also be issued for other situations and/or non-criminal incidents as deemed necessary. A Timely Warning Notice may be issued even if insufficient information is available that there is an ongoing threat to the campus community.

The decision to issue an alert and the writing of the notice, will be made by the SMCC Public Safety Commander or designee, in consultation with the District Police Chief, Deputy Chief and Campus Administration. The alert may be distributed by the Department of Public Safety, the District or campus Marketing Department, or other District or campus office as designated by the Police Chief, campus President or designee.

The alert may be distributed by blast email or text message to all students and employees. Alerts may be posted by Public Safety in each campus building, on the Public Safety website and also by distributing bulletins and flyers to the SMCC community. The method of distribution is dependent on the nature of the incident and the threat to the community.

The MCCCDC Department of Public Safety works closely with individuals reporting serious crimes to protect the victim's rights and privacy, while also ensuring the community has adequate information regarding potential risks. The name and identifying information of the victim is considered confidential, and will not be included in the alert.

### **SMCC Emergency Operations Plan**

The South Mountain Community College Emergency Operation Plan (EOP) addresses the college's response to emergencies, taking an all-hazards approach to both natural and human-caused hazards.

Divisions, departments and offices should familiarize themselves with information in this plan. Individuals should familiarize themselves with the Emergency Operations Plan and other preparedness resources available on the SMCC Public Safety website: <http://www.southmountaincc.edu/critical-incident-management-team/>

## **Emergency Notification, Response and Evacuation Procedures**

SMCC is committed to ensuring that the campus community receives timely, accurate and useful information in the event of a significant emergency or dangerous situation on campus, or in the local area that poses an immediate threat to the safety and well-being of the campus community. The information may be obtained from a variety of sources including campus employees, other governmental agencies and even broadcast news.

Generally, Public Safety becomes aware of situations that pose a threat to some or all of the campus community. Once Public Safety or other first responders confirm that there is an emergency or dangerous situation, they will contact the Public Safety Communications Center and then the SMCC Commander or designee. If time permits, the Commander will consult with the MCCC Police Chief or designee, and other authorized college officials about issuing an emergency notification. If time is critical, the Commander or designee may immediately issue the notification. If in the professional judgment of the Public Safety Commander or designee, that the notification will compromise efforts to assist the victim or mitigate the emergency, Public Safety may elect to delay issuing the emergency notification. As soon as the condition that compromised efforts is no longer present, the college will issue the notification.

If time permits, the Public Safety Commander, along with the MCCC Police Chief, or designee and college administration will determine what segment of the campus community will receive the emergency notification. Typically, due to the size of the campus and the close proximity of all of the campus buildings, the entire campus community will be notified. Depending on the nature of the emergency, it may also become necessary to notify the local community of the emergency. If this is necessary, notification will be made to the Phoenix Police and Maricopa County Sheriff Office and the Phoenix /Guadalupe Fire Departments. Notification may also be made to local broadcast news.

The office responsible for issuing the emergency notification (usually Public Safety) will, in concert with the Chief or designee, college administration, campus and District media relations and possibly local first responders, determine the content of the notification and provide specific safety instructions.

The notification may be distributed to the campus community through the campus emergency call box system, email, text message system, the Public Safety website, emergency bulletins and local news broadcasts. It is critically important that students and employees provide a current cell phone number in order to receive emergency text messages. As more information about the emergency becomes available, follow up broadcasts and or notifications will be made using the same notification systems.

### **Shelter-in-Place Procedures – What it means to “Shelter-in-Place”**

If an incident occurs and the building(s) or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it may be safer to stay indoors. Leaving the area may expose you to that danger caused by high winds, limited visibility, and respiratory related issues to name a few. Thus, to “shelter-in-place” means to “make a shelter” using the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

**Basic “Shelter-in-Place” Guidance** During an incident, if the building you are in is not damaged and still affords protection, stay inside. If possible, move to an interior room and away from glass or items that might become dangerous flying objects. Stay inside until you are told the area is safe by designated staff or it is obvious the incident has passed and no longer poses a danger to your well-being. If the building you are in is damaged and no longer affords protection from the incident, take your belongings needed for personal care (purse, wallet, medications) as long as it does not slow your exit. Follow the evacuation protocols for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators, etc.) Do not remove personal items (i.e. pictures, computer, etc.) Once evacuated, seek shelter at the nearest safe building. Follow all instructions given by first responders if they are already on scene.

### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, including SMCC Police, college employees, or other authorities utilizing the Campus’s emergency communications tools. Examples are door-to-door notifications, SMCC Police patrol vehicle public address system, crime alerts, text messages, SMCC home page messages, mass e-mail, media alert (TV, print, radio, Internet), Facebook postings, Twitter messages and RSS feed.

### **How to “Shelter-in-Place”**

No matter where you are, these basic steps should assist and should be considered unless instructed otherwise by emergency personnel.

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies you may need if you must evacuate immediately. Supplies will also include any items you may need if utilities are severed and you must remain inside for a prolonged period of time (i.e. a flashlight, extra batteries, etc.) If you are caught outdoors, move quickly to the nearest undamaged building and take shelter.
2. If possible, your shelter area should be:
  - An interior room.
  - Without windows or with the least number of windows possible.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems if able. (staff will turn off the ventilation as quickly as possible.)
6. Turn on a radio or TV (if power is still available) and listen for more information about the incident.

### **Evacuation Procedures**

If it becomes necessary to evacuate a building, it is important that you remain calm, leave the building immediately, and exit in an orderly manner. The evacuation should be conducted immediately upon hearing a fire alarm, or if directed verbally to do so by SMCC Public Safety staff, local Police or Fire Department personnel, or college faculty or staff. Prior to any emergency, determine exit routes and exit points in your area.

To learn more about emergency notification and evacuations procedures, go to the SMCC Public Safety web site at: <http://employee.southmountaincc.edu/public-safety>

### **Emergency Drills and Exercises**

In 2015, we conducted a table top exercise on the organization of the Emergency Operations Center and use of the online Web EOC. The exercise included the college administration and department managers that would be critical to the operation of the EOC in the event of a major incident.

- 10/23/2015 – Functional Exercise, Chemical Spill – Physical Science Building

## **Security and Access to Campus Buildings and Grounds**

The SMCC community is comprised of a student, faculty and staff population of approximately 7500 individuals, with the college's many special events and programs attracting additional guests on a daily basis. As a public college, SMCC is accessible to the general public during regular business hours. The campus is considered closed from 10PM until 6AM seven days a week and all day on holidays.

Most campus buildings and facilities are open to the public during the day and evening hours, when classes are in session and events are occurring. At other times campus buildings are generally locked and only faculty, staff and authorized individuals are admitted. Do not leave doors propped open or unlocked after hours. Remember, if your campus keys/access cards are lost or stolen, report the loss immediately to the Public Safety office.

## **Security Maintenance**

Facilities and landscaping are maintained in manner that minimizes hazardous conditions. Public Safety at SMCC regularly patrols the campus and reports malfunctioning lights and other unsafe conditions to Facilities Maintenance and Operations for repair. Other members of the campus community should promptly report hazardous or unsafe conditions to either Public Safety or Maintenance and Operations.

## **Sexual Violence Prevention and Response**

The Maricopa County Community College District and South Mountain Community College does not tolerate sexual misconduct, which includes: sexual assault, domestic violence, dating violence, stalking, sexual harassment, or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the MCCCDC Student Code of Conduct, along with Arizona state law.

### **Campus SaVE Act – Sexual Assault, Domestic and Dating Violence, and Stalking**

The Campus Sexual Violence Elimination Act (SaVE Act) was passed in March 2013 as part of the Violence Against Women Reauthorization Act (VAWA). As a result, South Mountain Community College must include statistics on incidents of Sexual Assault, Domestic Violence, Dating Violence, and Stalking. SMCC recognizes that sexual misconduct, including sexual violence, is a national problem, and college and university campuses certainly have not been immune. Such violence has a profound impact on a victim's academic, social, and personal life, and negatively affects the experiences of their friends and families, other students, and all members of the college community.

South Mountain Community College is committed to combatting this complex social problem and strives to foster a positive learning, working, and living environment that promotes every individual's ability to participate fully in the SMCC experience without fear of sexual violence or sexual harassment. Through college policies, awareness efforts, education and training programs, and advocacy, every member of the SMCC community should be prepared to actively contribute to a culture of respect and to work to keep our community free from sexual assault, sexual violence, domestic violence, dating violence, sexual harassment, stalking, exploitation, and intimidation. To view applicable MCCCDC/SMCC policies go to: <http://www.e-digitaleditions.com/t/134390-2014-15-SMCC-college-catalog> Page 260.

Cases involving allegations of sexual misconduct that are reported at SMCC are promptly, fairly, and thoroughly investigated, in accordance with the Maricopa County Community College District Student Code of Conduct. SMCC provides victims with resources that let them know they are not alone including, but not limited to, providing guidance on filing a police report, talking with counselors and changing academic or campus work situations. To learn more, go to: <http://www.e-digitaleditions.com/t/134390-2014-15-SMCC-college-catalog/> Page 261.

### **Reporting a Sexual Assault**

Victims often have difficulty reporting a sexual assault for numerous reasons, such as knowing the suspect, fear of retaliation, fear of parents knowing about the incident, or fear of getting trouble with law enforcement. Despite these concerns, it is vital to report such incidents in order to prevent the perpetrator from hurting anyone else.

We strongly encourage victims of sexual assault, domestic violence, dating violence, sexual harassment, or stalking to seek support and report the incident. The following reporting options are available to SMCC students, faculty and staff who have been victimized or who know someone who is being victimized. We understand individual circumstances may determine if and how a victim choose to make a report. A victim can choose to pursue one or more of these reporting options.

### **Where to file a report on campus:**

<b>SMCC Department of Public Safety</b>	<b>(602) 243-8100</b>
<b>Vice President of Student Affairs</b>	<b>(602) 243-8036</b>

Victims of sexual assault, domestic violence, dating violence, or stalking are encouraged to report the incident to the campus police. The SMCC Department of Public Safety can be contacted 24 hours a day, seven days a week at (480) 784-0900. If the incident occurred off campus, campus police officers will assist the victim in making a report to the appropriate law enforcement agency.

Reporting is best done as soon as possible after the act, but it may be done at any time. After a sexual assault it is very important that the victim receive a medical examination for health and evidentiary reasons. As difficult as it may be, a victim should not wash, use the toilet or change clothes before reporting the crime and seeking medical attention. Public Safety or Student Affairs will assist victims in locating a trained Sexual Assault Nurse Examiner (SANE). If clothes are changed, those worn during the assault should be placed in a paper bag and taken along to the examination. Even if the victim does not wish to prosecute the perpetrator, it is important to gather as much evidence as possible just in case the victim decides to pursue criminal charges later. Reporting a sexual assault, domestic violence, dating violence, or stalking to SMCC Police does not require the filing of criminal charges, but it does activate all support systems, including campus resources.

Effective January 2009, the Federal Government under the Violence Against Women Act (VAWA) requires states which receives federal funding under VAWA, as Arizona does, to provide forensic sexual examinations to all patients regardless of whether police involvement is desired. The forensic sexual exam is always free of charge to the victim of sexual violence. To obtain a free exam, a victim should contact:

### **Sexual Assault Response Team (SART) Centers**

The following Phoenix area family advocacy centers can perform this examination:  
Center Against Family Violence



225 E 1<sup>st</sup> St. Mesa, AZ

(480) 644-4075

<http://acfan.net/centers/mesa-center.htm>

Mesa Family Advocacy Center

2120 N. Central Ave #250, Phoenix, AZ

(602) 534-2120

<http://phoenix.gov/fac/index.html>

Scottsdale Family Advocacy Center

10225 E. Via Linda, Scottsdale, AZ

(480) 312-6309

<http://www.acfan.net/centers/scottsdale-family.htm>

Glendale Family Advocacy Center

4600 W. Glendale Ave, Glendale, AZ

(623) 930-3720

<http://www.acfan.net/centers/glendale.htm>

### **Other Community Sexual Assault and Violence Support Services**

- CASA (Center Against Sexual Abuse) **(602) 254-6400**
- Empact: 24 hrs crisis intervention **(480) 921-1006**
- RAINN Sexual Assault Hotline (national) **1-800-656-4674**

### **Prevention Programs**

MCCCD Public Safety Officers conduct presentations relating to crime prevention and safety policies during student orientations and at other times, when requested by staff or students. The following are ways to reduce the risk of sexual assault or violence:

- When you go to a party, go with a group of friends.
- Arrive together, watch out for each other, and leave together.
- Don't leave your beverage unattended or accept a drink from an open container.
- Don't allow yourself to be isolated with someone you don't know or trust.
- Be aware of your surroundings at all times.
- Trust your instincts.
- Think about the level of intimacy you want in a relationship, and clearly state your limits.

### **Bystander Intervention**

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

A bystander witnessing the interaction between two or more people, who suspects imminent danger to one of the individuals, may have the power to intervene but may hesitate to get involved. They may feel

uncomfortable, embarrassed, fearful of negative social consequences, or intimidated by the prospect of getting hurt.

### **Factors that Influence Intervention:**

- It's unclear that there is an emergency
- Perceived personal cost is too high
- Diffusion of responsibility ("Lots of people are around. Someone else will probably do something about it.")
- Similarities between the bystander and the potential offender (Someone who shares a lot in common with a potential offender will be less likely to act against them)
- Apathetic mood
- The bystander's gender may influence their perception of whether it's appropriate to get involved
- Perception that the prospective victim is inviting danger by being drunk, dressing provocatively, etc.
- Social norms (Intervening is easier when peers are nearby to approve of your actions)

### **Steps to intervene:**

**1) Assess the situation.** Ensure that all parties are safe, and gauge whether the situation requires calling authorities. When deciding to intervene, your personal safety should be the #1 priority. When in doubt, call for help.

**2) Decide whether to use direct or indirect action to resolve the problem.** Examples of both types of action are below:

- **Direct Actions:** Point out someone's disrespectful behavior in a manner that will help de-escalate the situation, talk to a friend to ensure he/she is okay, call the police
- **Indirect Action:** Recommend to a bartender or party host that someone has had too much to drink, make up an excuse to help someone get away from a potential offender, and call the local authorities

**3) Know your options.** Once you've decided whether you want to handle the situation directly or indirectly (or a little of both), think of all the possible options for doing so. For instance, if you've decided to speak directly to the person displaying problematic behavior, do you want to do it right there in the moment, or take them aside later? If you want to deal with it indirectly, what resources can you access to help you handle the problem?

**4) Intervene – with reinforcements.** If safe to intervene, you're likely to have a greater influence on the parties involved when you work together with someone or several people. Your safety is increased when you stay with a group of friends that you know well.

### **College Response to a Sexual Assault**

If you or someone you know is the victim of a sexual crime, the victim has specific rights, including:

- The right to report, or not to report, or seek assistance from law enforcement or campus authorities.

- If the victim chooses to report the incident, the college will assist victims in notifying either the campus or local police. Filing a report does not mean the victim must pursue criminal charges. The victim maintains his or her rights throughout the process.
- If the victim of a sexual offense or relationship violence requests a change in his or her academic schedule, the Dean of Students and other offices at the college will assist the individual with making these changes, as long as they are reasonably available.

### **College Disciplinary Procedures in Sexual Assault Incidents**

- If you have been sexually assaulted, several options are available for reporting the incident. You may wish first to discuss the incident privately with the Vice President of Student Affairs. Campus Police are always available to assist the victim with getting the support she/he requests.
- The MCCC/SMCC Student Code of Conduct process is designed to afford a complainant (the person bringing the charge) and a respondent (the person who is answering the charge) a fair, prompt and appropriate resolution process. The process is designed to help people who need support as they address these incidents.
- The Vice President of Student Affairs office manages the process when the alleged suspect is an SMCC Student. The full text of the protocol for how the college responds to sexual assault complaints through the campus conduct process can be found under the Maricopa Community Colleges Title IX and Preventing Sexual Harassment, Reporting : <https://www.maricopa.edu/compliance/title-ix-and-preventing-sexual-harassment/reporting>. Additional information regarding the reporting of a sexual assault is found under the Maricopa Community Colleges-Public Safety home page, titled "Reporting Crime & Emergencies: <https://www.maricopa.edu/public-safety/reporting-crime-emergencies>.
- In determining whether the alleged conduct constitutes sexual harassment or sexual assault, the full context in which the alleged incident occurred must be considered. In any case, both the accuser and the accused are entitled to the same opportunities to have other present during any disciplinary proceeding. Both the accuser and the accused will be informed of the outcome of any proceedings.
- During any sexual assault complaint proceeding, the college has a range of sanctions available. Those sanctions may range from probation to suspension or expulsion from the college, depending upon the nature and circumstances or the specific incident. Any sanction that the college may impose on the accused, is independent from any criminal or civil penalties that may be imposed by state or federal courts.
- If the alleged suspect is a campus employee, sanctions range from administrative discipline to suspension or termination of employment.
- Upon written request, the college will disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution, against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime of offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

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

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

**Arizona Revised Statutes 13-4405. Information provided to victim by law enforcement agencies**

A. As soon after the detection of a criminal offense as the victim may be contacted without interfering with an investigation or arrest, the law enforcement agency that has responsibility for investigating the criminal offense shall provide the victim with a multicopy form:

1. That allows the victim to request or waive applicable rights to which the victim is entitled, on request, under this article.
2. That provides the victim a method to designate a lawful representative if the victim chooses pursuant to section 13-4403, subsection A or section 13-4404.
3. That provides notice to the victim of all of the following information:
  - (a) The victim's right under the victims' bill of rights, article II, section 2.1, Constitution of Arizona, to be treated with fairness, respect and dignity and to be free of intimidation, harassment or abuse throughout the criminal or juvenile justice process.
  - (b) The availability, if any, of crisis intervention services and emergency and medical services and, where applicable, that medical expenses arising out of the need to secure evidence may be reimbursed pursuant to section 13-1414.
  - (c) In cases of domestic violence, the procedures and resources available for the protection of the victim pursuant to section 13-3601.
  - (d) The names and telephone numbers of public and private victim assistance programs, including the county victim compensation program and programs that provide counseling, treatment and other support services.
  - (e) The police report number, if available, other identifying case information and the following statement: If within thirty days you are not notified of an arrest in your case, you may call (the law enforcement agency's telephone number) for the status of the case.
  - (f) Whether the suspect is an adult or juvenile, a statement that the victim will be notified by the law enforcement agency at the earliest opportunity after the arrest of a suspect.
  - (g) If the suspect is an adult and has been arrested, the victim's right, on request, to be informed of the suspect's release, of the next regularly scheduled time, place and date for initial appearances in the jurisdiction and of the victim's right to be heard at the initial appearance and that, to exercise these rights, the victim is advised to contact the custodial agency regarding the suspect's release and to contact the court regarding any changes to the initial appearance schedule.
  - (h) If the victim chooses to exercise the right to be heard through a written statement, how that statement may be submitted to the court.
  - (i) That the victim or the immediate family member of the victim, if the victim is killed or incapacitated, has the right to receive one copy of the police report, including any supplements to the report, from the investigating law enforcement agency at no charge pursuant to section 39-127.

B. If at the time of contact with a law enforcement agency the victim is physically or emotionally unable to request or waive applicable rights, the law enforcement agency shall designate this on the multicopy form and the entities that may be subsequently affected shall presume that the victim invoked the victim's right to request applicable rights to which the victim is entitled, on request, unless the victim later waives those rights.

C. The law enforcement agency shall submit a copy of the victim's request or waiver of pre-conviction rights form to the custodial agency and a copy to the prosecutor if a suspect is arrested, at the time the suspect is taken into custody. If there is no arrest, the form copies shall be submitted to the prosecutor at the time the case is otherwise presented to the prosecutor for review. The prosecutor shall submit a copy of the victim's request or waiver of pre-conviction rights form to the departments or sections of the

prosecutor's office, if applicable, that are mandated by this article to provide victims' rights services on request.

D. If the suspected offender is cited and released, the law enforcement agency responsible for investigating the offense shall inform the victim of the court date and how to obtain additional information about the subsequent criminal proceedings.

E. Law enforcement agencies within a county may establish different procedures designed to efficiently and effectively provide notice of the victim's rights pursuant to this section and notice to affected entities of the victim request or waiver information. If different procedures are established, the procedures shall:

1. Be reported to the entities within a county affected by the procedures and reported to the attorney general.

2. Be designed so that custodial agencies and prosecutors within a county receive notice of the victim's request or waiver of the victim's pre-conviction rights at the same time that an adult suspect is arrested.

3. Be designed so that prosecutors within a county receive notice of the victim's request or waiver of the victim's pre-conviction rights, if there is no arrest, at the same time that the case is otherwise presented to the prosecutor for review.

4. Provide that the notice to affected entities of a victim's request or waiver of the victim's pre-conviction rights includes information that affords the affected entity the ability to contact the victim.

5. Be supported by use of brochures, forms or other written materials that are developed by the law enforcement agencies within a county and reviewed by the attorney general pursuant to section 13-4417, subsection B.

F. If a suspect has not been arrested at the time of contact with the victim pursuant to subsection A of this section, the law enforcement agency that is responsible for investigating the offense shall notify the victim of the arrest of a suspect at the earliest opportunity after the arrest and of the time, place and date for the initial appearance.

Further, South Mountain Community College complies with Arizona law in recognizing Orders of Protection and Restraining Orders. Employees or students that obtain an order from Arizona or any other state should provide a copy to the SMCC Department of Public Safety office. A complainant may meet with the Campus Police to develop a Safety Action Plan, which is a plan for the campus police and the victim to reduce risk of harm while on campus, or coming and going from campus. This plan may include, but not limited to: escorts, special parking arrangements, changing classroom location, allowing student to complete assignments from home etc. Orders may be obtained from the Justice Courts listed below.

To the extent of the victim's cooperation and consent, college offices, including Public Safety, the Dean of Students and Admissions and Records will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal college investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic or working situations in additions to counseling and assistance notifying appropriate law enforcement entities. To change academic or campus work situations contact the Dean of Students. Additionally, personally identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The college does not publish the name of crime victims nor display identifiable information regarding victims in the public safety departments Daily Crime Log.

## **Orders of Protection and Restraining Orders**

A person who is being victimized may file a petition with a magistrate, justice of the peace, or superior court judge for an order of protection or restraining order. The petition must state the name of the plaintiff, name and address of the defendant, if known, specific statements of alleged incidents, relationship between the parties, and desired relief. A filing fee may be required. Go to <http://justicecourts.maricopa.gov/CaseTypes/domesticviolence.aspx> for further information on obtaining an order of protection or restraining order.

To obtain additional information on the forms necessary to file a petition please contact:

**South Mountain Justice Court           (602) 372-6300**

**City of Phoenix Court                   (602) 262-6421**

## **Campus SaVE Act Statistics (New as of 2014)**

The Campus SaVE Act requires SMCC to compile statistics on Sexual Assault, Domestic Violence, Dating Violence, and Stalking in addition to the other enumerated crimes. The Campus SaVE Act defines Sexual Assault, Domestic Violence and Dating Violence by referencing the applicable state laws. In Arizona, Sexual Assault is found in Arizona Revised Statutes (ARS) § 13-1406. Domestic Violence and Dating Violence are found in Arizona Revised Statutes (ARS) § 13-3601; both are consolidated under the Domestic Violence category.

### **The Arizona Revised Statutes and the Campus SaVE Act contain the following definitions:**

#### **Sexual Assault A.R.S. § 13-1406**

Arizona state law defines Sexual Assault as: Intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person **without consent** of such person.

**CONSENT**—When both adult parties verbally agree to participate in a sexual act. Consent includes the following factors:

- Verbal agreement to engage in sexual activity; silence does not mean “yes”.
- Must be given by sober, conscious individual.
- Must be given freely, with no emotional or physical force.
- Consent to one act does not mean consent to all acts of sex.

**WITHOUT CONSENT**—In Arizona “without consent” includes any of the following:

- The victim is coerced by the immediate use or threatened use of force against a person or property.
- The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant.
- The victim is intentionally deceived as to the nature of the act.

The Campus SaVE Act further defines “Sexual Assault” as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

#### **Domestic Violence (Dating Violence) A.R.S. § 13-3601**

A crime of violence or criminal damage, if any of the following apply:



- The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
- The victim and the defendant have a child in common.
- The victim or the defendant is pregnant by the other party.
- The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.
- The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.
- [Dating Violence] The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:
  - a) The type of relationship.
  - b) The length of the relationship.
  - c) The frequency of the interaction between the victim and the defendant.
  - d) If the relationship has terminated, the length of time since the termination.

The Campus SaVE Act provides specific parameters for determining what constitutes Dating Violence. These parameters match the qualifying parameters Arizona uses in A.R.S. § 13-3601(6) Domestic Violence.

### **Stalking A.R.S. § 13-2923**

A. A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct either:

- Would cause a reasonable person to fear for the person's safety or the safety of that person's immediate family member and that person in fact fears for the person's safety or the safety of that person's immediate family member.
- Would cause a reasonable person to fear death of that person or that person's immediate family member and that person in fact fears death of that person or that person's immediate family member.
- The Campus SaVE Act also considers stalking to include engaging in a course of conduct directed at a specific person that would cause a reasonable person to suffer substantial emotional distress.

### **Sexual Harassment (MCCCD Administrative Regulation 5.1.8)**

The policy of the Maricopa County Community College District (MCCCD) is to provide an educational, employment, and business environment free of sexual violence, unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical conduct or communications constituting sexual harassment as defined and otherwise prohibited by state and federal law.

Each college has designated its Vice President of Student Affairs as the Title IX Coordinator, and student complaints of sexual harassment must be reported to him or her. Incidents of sexual harassment may also be reported to the SMCC Department of Public Safety. Any form of sexual violence against employees or students is prohibited by state law and Title VII of the Civil Rights Act of 1964. Employee complaints of sexual harassment must be reported to the District Office of Equity, Opportunity, and Engagement. It may also be reported to the Department of Public Safety

## **Definition of Sexual Harassment**

Sexual harassment is unwelcome, verbal, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive that it alters working conditions and creates a hostile environment for employees, or that it unreasonably interferes with, limits, or deprives a student of the ability to participate in or benefit from any MCCCCD educational program or activity. The unwelcome behavior may be based on power differentials, the creation of a hostile environment, or retaliation for sexual harassment complaints. Sexual harassment by and between, employees, students, employees and students, and campus visitors and students or employees, is prohibited by this policy. Further information on the MCCCCD/SMCC policy on sexual harassment can be found at: <http://www.e-digitaleditions.com/t/134390-2014-15-SMCC-college-catalog>

## **Campus Sex Crime Prevention Act (Arizona Sex Offender notification law)**

The Campus Sex Crimes Prevention Act mandates that convicted sex offenders, required to register under state law, must also disclose their association with institutions of higher education when applicable. Specifically affected are those registered sex offenders who attend as students, are employed by or employed at, or volunteer at institutions of higher education. The Arizona Department of Public Safety (DPS) has established the Arizona Sex Offender Information Center according to the requirements of ARS 13-3827. Arizona DPS is responsible for the maintaining the site and annually verifying the addresses of all registered sex offenders. For more information go to: [http://www.azdps.gov/Services/Sex\\_Offender/](http://www.azdps.gov/Services/Sex_Offender/)

The Public Safety office at SMCC may notify the campus community of a registered sex offender as required by law. The notification process could be through safety alerts on the SMCC Public Safety web page and/or safety alerts posted on campus.

## **Weapons Prohibited on Campus**

Arizona State law ARS 13-2911 provides for the Maricopa County Community College District Governing Board to regulate deadly weapons, which includes firearms, on District campuses. The Maricopa County Community College District does not allow firearms or any deadly weapon on any of its campuses. Police officers do have exemptions from these laws. However, contact the campus Public Safety office to ascertain who may have authority to carry a firearm on campus. To view the District weapons policy, go to MCCCCD Administrative Regulation: 4.6 Weapons policy, or click on the link below.

[https://www.maricopa.edu/publicstewardship/governance/adminregs/auxiliary/4\\_6.php](https://www.maricopa.edu/publicstewardship/governance/adminregs/auxiliary/4_6.php)

Any person violating the policy shall be ordered to leave the campus. Any person, who refuses to leave, shall be subject to arrest under ARS 13-1502 Third Degree, Criminal Trespass. Any student violating this policy is also subject to applicable college disciplinary procedures. If a person having a weapon appears dangerous, is acting suspicious, is threatening, or is behaving irrationally, stay away from the individual and call MCCCCD Public Safety at **480-784-0911** or 9-1-1 immediately.

## **Reporting Hate Crimes & Incidents**

Hate crimes manifest evidence that the victim was intentionally targeted because of the perpetrator's bias against the victim. The categories of bias include the victim's actual or perceived belief that the act was motivated by the victim's: race, religion, ethnicity, gender, gender identity,

disability, sexual orientation and national origin. MCCCDC and South Mountain Community College takes a strong stance against hate crimes because of a person's perceived personal characteristics.

Although hate groups and individuals have the right to assemble and express their views, they do not have the right to break the law or violate other's civil rights. In Arizona, any speech that threatens violence or physical harm to specific persons or groups may constitute a crime. Most verbal and written expression is constitutionally protected, so racial slurs or derogatory speech is not enough to be considered a crime, although they may be in conflict with the MCCCDC Student Code of Conduct.

Hate crimes will not be tolerated and will be prosecuted to the fullest extent of the law. Hate crimes should be reported to the MCCCDC Department of Public Safety.

### **MCCCDC Policy on Substance Abuse**

**District policy:** The Maricopa County Community College District supports the Drug Free Schools and Communities Act Amendments of 1989, Public Law 101-226, and complies with all federal, state, and local laws pertaining to controlled substances (drugs), including alcohol. The possession, sale or consumption of an alcoholic beverage on any premises owned and/or leased/rented by the District for approved educational purposes is prohibited. The policy may be viewed at: <http://www.e-ditionaleditions.com/t/134390>

**College response to alcohol and drug violations:** Besides the sanctions imposed by federal and state courts concerning controlled substance violation(s), the college will respond administratively when the offense involves a student or employee as the offender. Students and employees are subject to applicable District policies and disciplinary procedures. Sanctions for students may include probation, suspension and expulsion. For employees it includes administrative discipline or termination.

**Medical marijuana:** The possession or use of medical marijuana by any person is prohibited on MCCCDC property. Any non-student violating the policy shall be ordered to leave the campus. Any person, who refuses to leave, shall be subject to arrest under ARS 13-1502 Third Degree, Criminal Trespass. Any student violating this policy is subject to applicable college disciplinary procedures. Go to: <http://www.scottsdalecc.edu/about-scottsdale/policies-procedures-guidelines/medical-marijuana-act> to view the policy regarding medical marijuana.

**Alcohol and drug use prevention:** A variety of alcohol and other drug abuse prevention efforts occur at the college during each year, to educate students regarding the health risks associated with the use and abuse of drugs and alcohol. Intervention information and services are available both on-campus and off-campus, to help students in overcoming dependencies. Additional information about health risks, available programs, the college drug policy and legal sanctions/disciplinary action may be obtained through the Office of the Dean, the Counseling Department, and the Student Handbook. <http://www.e-ditionaleditions.com/t/134390>

Campus community members who may have an alcohol or drug problem can also receive assistance by calling:

Al-Anon at **1-800-356-9996**

American Council on Alcoholism at **1-800-527-5344**

## **Student Code of Conduct**

The Maricopa County Community College District Governing Board has established a Student Code of Conduct that applies to students at all MCCCDC campuses. The Code of Conduct balances the rights of the student with their obligation to act in an ethical, considerate and responsible manner.

At SMCC, the Dean of Students is responsible for reviewing allegations of student misconduct, determining whether a violation has occurred and if applicable, imposing appropriate sanctions. Reports of student misconduct may be made directly to the Dean of Students, or the MCCCDC Department of Public Safety.

The SMCC Student Code of Conduct and Student Disciplinary Procedures can be found at: <http://www.e-digitalEditions.com/t/134390-2014-15-SMCC-college-catalog>

## **South Mountain Community College's Annual Crime Statistics**

The following statistics were gathered in accordance with the guidelines established under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. §1092(f)). The crime definitions are outlined in the Federal Bureau of Investigation's Uniform Crime Reporting Handbook (UCR), and modified by the Hate Crime Statistics Act, were utilized in compiling the numbers.

The data relate to all reported crimes occurring on any SMCC property and any non-campus buildings or property owned by the college, or any public property within or adjacent to the campus.

## **Crime Definitions**

- **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Manslaughter by Negligence:** The killing of another person through gross negligence
- **Sexual Assault:** "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent
  - **Rape:** The carnal knowledge of a person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent.
  - **Fondling:** The touching of private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent.
  - **Incest:** Non-forcible sexual intercourse between persons who are related to each other with the degrees wherein marriage is prohibited by law.
  - **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the age of consent.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person by force or threat of force or violence and/or by putting the victim in fear.

- **Aggravated Assault:** An unlawful attack by one person on another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- **Burglary:** The unlawful entry of a structure (excluding a vehicle) to commit a felony or a theft.
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.
- **Stalking (new as of 2014):** A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct would cause a reasonable person to fear for the person's safety or safety of that person's immediate family member and that person in fact fears for the person's safety or the safety of that person immediate family member. This also includes the fear of death for that person or immediate family member. Acts may include, but are not limited to:
  - Following
  - Observing
  - Monitoring
  - Threatening
  - Surveillance
  - Communicating to or about a person
  - Interfering with or damaging a person's property or pet
  - Contact via electronic communication
- **Dating Violence (new as of 2014):** Violence committed by a person who is or has been in an intimate or romantic relationship with the victim. This includes, but not limited to, sexual or physical abuse or the threat of such abuse.
- **Domestic Violence (new as of 2014):** Any person who murders, kidnaps, physically assaults in any manner, threatens, harasses, damages the victim's property or interferes with the personal liberty of another. It includes:
  - Family Members including: spouse's family and step-family members
  - People who are married, or were married
  - Previously dated or are currently dating, or are or were in a sexual relationship
  - Have a child in common
  - Is pregnant by the other party
  - Share or have shared a household (ex: roommates)
- **Weapons Law Violations:** The violations of laws or ordinances dealing with weapons offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; alien possession of deadly weapons; and all attempts to commit any of the aforementioned.
- **Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Liquor Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful

drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor, drinking on a train or public conveyance; and all attempts to commit any of the aforementioned (drunkenness and driving under the influence are not included in this definition).

- **Hate Crime:** is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, ethnicity/national Origin or gender identity.
  - **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.), genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
  - **Gender Bias:** A performed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender. e.g., male or female.
  - **Gender Identity Bias:** A performed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity. e.g., bias against transgender or gender non-conforming individuals.
  - **Religion:** A performed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
  - **Sexual orientation:** A performed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
  - **Ethnicity/national Origin Bias:** A performed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
  - **Disability:** A performed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

## Clery Geography

For the purposes of collecting and reporting crimes listed in this report for submission to the Department of Education, and inclusion in an SMCC's annual security report, Clery geography includes:

- Buildings and property that are part of the institutions campus
- The institutions non-campus buildings and property
- Public property within or immediately adjacent to and accessible from the campus

For the purpose of maintaining the Daily Crime Log, Clery Geography includes, in addition to the locations listed above, areas within the patrol jurisdiction of the campus police.



## Property Location Definitions

Clery statistics must be compiled under the following location categories: on-campus property, non-campus property and public property.

**Campus Property:** Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution, in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. SMCC does not have residence halls or housing facilities. SMCC also does have any non-campus locations or buildings that are used by college student organization.

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

**Public Property:** All public property that is within the same reasonably contiguous geographic area of the institution; such as a sidewalk, a street, other thoroughfare or parking facility, and is adjacent to a facility owned or controlled by the institution, if the facility is used by the institution in direct support of or in a manner related to the institution's educational purposes.

**SMCC Main Campus, 7050 S. 24<sup>th</sup> Street Phoenix, AZ 85042**

Offense	Location	2013	2014	2015
Murder/Non-negligent Manslaughter	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Manslaughter by Negligence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Rape	On Campus	0	0	0
	Non-Campus	1	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Fondling	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Incest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Statutory Rape	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Domestic Violence	On Campus	0	1	2
	Non-Campus	0	0	0
	Public Property	0	0	1
	Unfounded	NA	0	0
Dating Violence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Stalking	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Robbery	On Campus	1	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Aggravated Assault	On Campus	0	0	0
	Non-Campus	1	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0

Burglary	On Campus	3	0	1
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Motor Vehicle Theft	On Campus	1	3	2
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Arson	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Larceny/Theft	On Campus	27	24	17
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Liquor Law Arrests	On Campus	2	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Liquor Law Violation Referral	On Campus	0	1	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Weapons Possession Arrest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Weapons Possession Violation Referral	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Drug Law Arrest	On Campus	2	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Drug Law Violation Referral	On Campus	0	2	2
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0

Hate Crimes:

2013 – 0

2014 – 0

2015 – 0

**\*NA – Not Applicable. This is a new statistic and was not required for 2013**

**Guadalupe Center, 9233 S. Avenida del Yaqui Guadalupe, AZ 85283**

Offense	Location	2013	2014	2015
Murder/Non-negligent Manslaughter	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Manslaughter by Negligence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Rape	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Fondling	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Incest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Statutory Rape	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Domestic Violence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Dating Violence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Stalking	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Robbery	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Aggravated Assault	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0

Burglary	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Arson	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Larceny/Theft	On Campus	0	0	2
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Liquor Law Arrests	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Liquor Law Violation Referral	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Weapons Possession Arrest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Weapons Possession Violation Referral	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Drug Law Arrest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Drug Law Violation Referral	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0

Hate Crimes:

2013 – 0

2014 – 0

2015 – 0

**Laveen Center, 7900 S. 43<sup>rd</sup> Avenue, Laveen, AZ 85339**

Offense	Location	2013	2014	2015
Murder/Non-negligent Manslaughter	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Manslaughter by Negligence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Rape	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Fondling	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Incest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Statutory Rape	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Domestic Violence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Dating Violence	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Stalking	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Robbery	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Aggravated Assault	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0

Burglary	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Motor Vehicle Theft	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Arson	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Larceny/Theft	On Campus	0	0	2
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Liquor Law Arrests	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Liquor Law Violation Referral	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Weapons Possession Arrest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Weapons Possession Violation Referral	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Drug Law Arrest	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0
Drug Law Violation Referral	On Campus	0	0	0
	Non-Campus	0	0	0
	Public Property	0	0	0
	Unfounded	NA	0	0

Hate Crimes:

2013 – 0

2014 – 0

2015 – 0